

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87114 of 2024

Arising Out of PS. Case No.-706 Year-2019 Thana- AHİYAPUR District- Muzaffarpur

Sumit Kumar S/O Late Shankar Sah R/vill - Chakgaji, P.S.- Ahiyapur, Dist - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha, Adv.

For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 17-01-2025 Heard Mr. Mukesh Kumar Jha, learned counsel for the petitioner and Mr. Suresh Prasad Singh, learned APP for the State.

2. Petitioner seeks regular bail in connection with Ahiyapur P.S. Case No. 706/ 2019 dated 13.06.2019 registered for the offence(s) punishable under Section(s) 394, 307 read with section 34 of the IPC and section 27 of the Arms Act. Later on, section 302 of the IPC was also added on 26.07.2019.

3. As per the prosecution case, three unknown criminals are alleged to have shot at Ranjan Kumar Srivastava, an employee of Bandhan Bank, in course of committing loot. The name of the petitioner has transpired in this case during the course of investigation in the confessional statement of the co-accused.



4. The main submissions advanced by learned counsel for the petitioner are that except the confessional statement of co-accused, Dharmendra Kumar @ Murabba, there is no material to connect the petitioner in the alleged crime of loot and murder and mainly on the basis of petitioner's criminal antecedents as well as confessional statement of the said co-accused, the petitioner has been made accused in the present matter and he has been languishing in jail since 09.09.2024.

5. Learned APP appearing for the State has opposed the bail prayer of the petitioner and by referring to the 15 criminal antecedents of the petitioner has submitted that in the confessional statement of co-accused, Dharmendra Kumar @ Murabba, there is mention of telephonic conversation in between the petitioner and other co-accused persons during the relevant period of offence as well as petitioner's involvement in the alleged crime.

6. Heard both the sides and perused the FIR and case diary in this case.

7. The instant matter relates to loot and murder and as per the allegations, the deceased, Ranjan Kumar Srivastava, an employee of Bandhan Bank, was caused gunshot injuries by three miscreants and a sum of Rs. 40,290/- with other articles



were also looted from his possession. Though, the FIR has been registered against unknown but during the investigation, the statement of petitioner’s brother was recorded by the I.O. who revealed the petitioner’s active participation in the alleged crime and as per the prosecution, the accused persons were in contact through mobile communication of which details has been mentioned in paragraph 65 of the case diary and further, investigation is pending in respect of other accused persons and the petitioner has criminal antecedents of 15 cases.

8. Considering these facts, this court is not inclined to release the petitioner on bail. Accordingly, his prayer stands rejected.

(Shailendra Singh, J)

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