

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22970 of 2015

Arising Out of PS.Case No. -319 Year- 2013 Thana -BODHGAYA District- GAYA

Manoj Yadav, Son of Hardeo Yadav, resident of Village- Khaira, P.S. Konch, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Abhay Kumar Rai (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 30-09-2015 Heard both sides.

The petitioner seeks bail in Bodh Gaya (Cherki) P.S. Case No. 319/2013, registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code.

The informant, brother of the deceased named four persons, namely Ram Narayan Sharma, Nagendra Kumar, Pramod Kumar Singh and Raju Kumar and alleged that they took his brother Jai Prakash Singh @ Bholu for talk but the informant got information that his brother was killed and his dead body is lying by the side of road within the jurisdiction of Cherki Police Station.

Sri Dhirendra Kumar, learned counsel for the petitioner submits that the petitioner is not named in the FIR. There is absolutely no evidence to show that the petitioner committed murder of Jai Prakash Singh @ Bholu. The petitioner is said to have confessed his

guilt and in pursuance there of the motorcycle of the deceased was found from the house of the petitioner.

It is submitted that the motorcycle was recovered from the joint family house. All other accused persons named in the FIR have already been enlarged on bail. The petitioner is in jail since 05.08.2014.

On the other hand, Sri Krishna Prasad Singh, learned senior counsel vehemently opposed the prayer for bail.

It appears that the deceased Jai Prakash Singh @ Bholu is said to have drawn the motorcycle bearing Registration No. BR 02S 3541. During course of investigation, the petitioner was arrested and he is said to have confessed his guilt and disclosed the entire facts that how Jai Prakash Singh @ Bholu was killed and on the disclosure made by the petitioner the motorcycle of the deceased was recovered from his house. It is a fact that the deceased was with the motorcycle at the time of his death and the same motorcycle was recovered from the house of the petitioner.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner, above named, on bail. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within one year from the date of receipt of this order.

(Prabhat Kumar Jha, J.)

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