

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34799 of 2015

Arising Out of PS.Case No. -59 Year- 2014 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Brij Kishor Mahato S/o Late Indal Mahto Resident of Village Pithwa,
Police Station Jharaukha, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Yadav

For the Opposite Party/s : Mr. Sanjay Kumar Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 23-11-2015 Heard learned counsel for the petitioner and learned A.P.P
for the State.

The petitioner seeks bail in connection with Adapur
P.S.Case No. 59 of 2014 for the offences punishable under
Sections 393, 302 and 120(B) of the Indian Penal Code and 27 of
Arms Act, pending in the Court of Sri N.K.Pridarshi, Judicial
Magistrate, 1st Class, East Champaran, Motihari.

Allegedly, co-accused, Nanhak Bhagat, being the driver
of the Pickup van in collusion and conspiracy with other co-
accused killed the brother of the informant and took away cash of
Rs. 1,50,000/-. During investigation co-acused, Nanhak Bhagat,
confessed his guilt naming the petitioner also and the petitioner

was caught with a loaded country made Katta and on the basis of his confessional statement, robbed amount of Rs. 1,50,000/- was recovered.

Submission is of false implication and that there is no legal and cogent material against the petitioner. The police after adopting third degree method has recorded his confessional statement. The alleged recovery is not from the conscious possession of the petitioner and charge sheet has already been submitted in this case.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances, as stated above, considering that on the basis of confessional statement of the petitioner robbed amount of Rs. 1,50,000/-was recovered and as such considering the allegation against the petitioner, this Court is not inclined to grant bail to the petitioner.

The prayer for bail of the petitioner stands rejected.

(Jitendra Mohan Sharma, J)

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