

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42809 of 2015

Arising Out of PS.Case No. -142 Year- 2015 Thana -BARHARA District- BHOJPUR

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1. Himanshu Verma s/o Mahendra Prasad Verma R/o Village - Choudhary
Rai Patti, Gahamar, P.S. - Gahamar, District - Gajipur (U.P.)

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Sadanand Paswan (Spl.App)

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

4 01-12-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Barhara
P.S. Case No. 142 of 2015 registered for the offences punishable
under Sections 302, 379/120B of the Indian Penal Code and
Sections 3((2) (v) of SC/ST (Prevention of Atrocities) Act.

Sanjeet Kumar the driver of Scorpio vehicle bearing no.
BR01PB-5192 was stabbed to death and the vehicle was also
taken away by the miscreants. During investigation the petitioner
was arrested with the said Scorpio without any paper for which
Dildar Nagar P.S. Case No. 193 dated 20.05.2015 was registered
and the petitioner on inquiry stated that he and his associates after
killing the driver brought the said Scorpio and was in search of

customer at Dildar Nagar but was caught vide paragraph 38 of the case diary.

Submission is of false implication and that the witnesses during investigation have suspected the hands of Nitya Nand Singh who was arrested and has confessed his guilt stating that after killing the driver he sold the said Scorpio with the petitioner and Rakesh @ Pahalwan for Rs. 40,000/- and from the confessional statement of Nitya Nand Singh only it transpires that the petitioner has purchased the said snatched Scorpio as such the petitioner who is suffering in custody since 09.07.2015 deserves sympathetic consideration to which the learned APP opposes by pointing out paragraph 38 of the case diary.

In the facts and circumstances stated above, considering that the Scorpio in question was with the petitioner and he was caught with that Scorpio and he has stated regarding his involvement in the murder of driver of the said vehicle, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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