

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10060 of 2016

Arising Out of PS.Case No. -283 Year- 2015 Thana -BAHADURGANJ District- KISANGANJ

1. Dilshad Alam @ Dilshad Son of Khusruddin, Resident of Dabar, P.S.-
Bahadurganj in the District of Kishanganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Anita Kumari(App)

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

3 18-04-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence
punishable under section 364 of the I.P.C

Allegedly, Monajir Alam, the son of the informant,
went with motorcycle to Bahadurganj but he became traceless.
During investigation on the basis of the call detail of the mobile of
Monajir Alam the name of the petitioner transpires and
accordingly he was apprehended and he confessed his guilt
leading to recovery of the owner book of the motorcycle of
Monajir Alam.

Submission is of false implication and that the
petitioner has been made victim of the circumstances, the alleged

confessional statement made before the police has got no evidentiary value in the eye of law, there is no legal and tangible material against the petitioner and he is suffering in custody since 15.10.2015 having clean antecedent.

The learned A.P.P. opposes prayer for bail by submitting that during scientific investigation on the basis of the call detail the name of the petitioner transpires and he confessed his guilt that he kidnapped the son of the informant, murdered and threw the dead body into the river and further on his disclosure the owner book of the motorcycle of the deceased was recovered.

In the facts and circumstances as stated above, considering the materials available against the petitioner, at this stage I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Bahadurganj P.S. Case No. 283 of 2015/ G.R. No. 1653 of 2015 pending in the court of the learned Chief Judicial Magistrate, Kishanganj.

(Jitendra Mohan Sharma, J)

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