

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14547 of 2016

Arising Out of PS.Case No. -628 Year- 2015 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

=====

Rahul Kumar Dubey, son of Late Akhileshwar Dubey resident of Village-
Bhadokhara, P.S.- Tilauthu, District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Narayansingh

For the Opposite Party/s : Mr. Ahmad Ali(App)

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

ORAL ORDER

3 19-05-2016

Heard the learned counsel for the petitioner as well

as the learned A.P.P for the State.

The petitioner seeks bail in connection with
Sasaram (Tilauthu) P.S. Case No. 628 of 2015 registered for the
offences punishable under Sections 302/34 and 414 of the Indian
Penal Code.

Allegedly, Brij Bhushan Dubey @ Pintu Dubey, the
uncle of the informant was found killed and the petitioner lodged
first information report but during investigation it transpires that
the petitioner killed his uncle with aid and assistance of other co-
accused.

Submission is of false implication and that the
petitioner being the informant of this case has named three
partners of the brick kiln as suspect, but during investigation
only on the basis of the confessional statement of the co-accused,

Vakil Kumar which was recorded in Sasaram (Tilauthu) P. S. Case No. 770 of 2015, the petitioner was apprehended and the police recorded his confessional statement forcibly resulting he is suffering in custody without any fault.

The learned A.P.P seriously opposes the prayer of the bail by submitting that on the basis of confessional statement of the petitioner, the wrench which was used for killing the deceased was recovered from bush of Ahar vide paragraph 56 of the case diary and further from call detail also, his involvement transpires.

In the facts and circumstances stated above, considering that on the basis of confessional statement of the petitioner, the wrench used in the crime was recovered and as such I am not inclined to enlarge the petitioner on bail and accordingly his prayer stands rejected in connection with Sasaram (Tilauthu) P.S. Case No. 628 of 2015 pending in the Court of learned Additional District and Sessions Judge-IV, Rohtas at Sasaram.

However, let the trial be expedited and concluded preferably within nine months from the date of receipt or production of a copy of this order.

(Jitendra Mohan Sharma, J.)

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