

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53759 of 2015

Arising Out of PS.Case No. -56 Year- 2015 Thana -BUDDHACOLONY District- PATNA

1. Chandra Mohan Yadav @ Bantu @ Raju Son of Sri Ramautar Yadav,
Resident of Village - Kasmarar, Police Station - Khajauli, District -
Madhubani. Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Dr.Rabindra Kumar (App)

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

ORAL ORDER

4 08-02-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Budha Colony
P.S. Case No. 56 of 2015 registered for the offence punishable
under Sections 364/34 of the Indian Penal Code.

Allegedly, Pankaj Kumar, the son of the informant, was
kidnapped with white colour Indigo vehicle. During investigation
the dead body was recovered and the name of the petitioner
transpired on the basis of call details of mobile and further the
petitioner confessed his guilt and on the basis of his confessional
statement looted Indigo vehicle was recovered.

Submission is of false implication and that there is no
direct evidence against the petitioner. The said mobile is not in the
name of the petitioner and the Police has recorded his confessional

statement forcefully which has got no evidentiary value in the eye of law and further the said Indigo Car was recovered from the premises of NMCH and as such the petitioner who is suffering in custody since 11.03.2015 deserves sympathetic consideration to which the learned APP opposes by submitting that on the basis of confession of the petitioner looted vehicle was recovered and further the dead body was also found kept on the railway line.

In the facts and circumstances stated above, considering the alleged recovery of looted Indigo Car on the basis of confessional statement of the petitioner, at this stage, 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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