

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6169 of 2016

Arising Out of PS.Case No. -434 Year- 2015 Thana -BEGUSARAI TOWN District- BEGUSARAI

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1. Saurabh Kumar, Son of Kaushal Kishore Singh, Resident of Village-
Sonapur Dih, P.S.- Naya Tola, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Malay Kumar Choudhary

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 08-04-2016 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 offences
punishable under sections 302, 201 and 364/34 of the I.P.C

Allegedly, some unknown took away Kishan Sah, the
husband of the informant, with the Bolero vehicle bearing
registration no. BR09M 4015 and thereafter the dead body of
Kishan Sah was recovered. During investigation the petitioner and
other accused persons were caught by the villagers at Manjhaul
while they were traveling on the roof of a Bus after leaving the
Bolero vehicle and co-accused Sachin Kumar @ Chotu has
confessed his guilt stating the name of the petitioner and others
also.

Submission is of false implication and that there is no legal and tangible material against the petitioner, he was not caught with the Bolero vehicle nor any weapon has been recovered from possession of the petitioner, he has not been put on the test identification parade, the witnesses examined during investigation appears not reliable and as such the petitioner who is suffering in custody since 25.08.2015 deserves sympathetic consideration, to which the learned A.P.P. seriously opposes by submitting that after leaving the Bolero vehicle the accused persons were fleeing away by traveling on the roof of a Bus but were caught by the villagers and handed over to the police.

In the facts and circumstances as stated above, considering the circumstances appearing 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 Begusarai (Town) P.S. Case No. 434 of 2015 pending in the court of the C.J.M. Begusarai.

(Jitendra Mohan Sharma, J)

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