

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5769 of 2016

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

1. Sachin Kumar @ Chhotu Son of Sudhanshu Singh @ Sudhanshu Roy,
Resident of Village - Cheria, P.S. - Bhagwanpur, District - Begusarai and
presently residing at Lohiyanagar, P.S. - Begusarai Town, District -
Begusarai. Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Pravin Kumar

For the Opposite Party/s : Mr. Rajiv Nayan (App)

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

ORAL ORDER

3 01-04-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Begusarai
Town P.S. Case No. 434 of 2015 registered for the offence
punishable under Sections 364/34 of the Indian Penal Code in
which subsequently Sections 302 and 201 of the Indian Penal
Code were added.

Allegedly, some unknown took away Kishan Sah, the
husband of the informant with his Bolero vehicle bearing
registration no. BR09M-4015 thereafter, the dead body of Kishan
Sah was recovered. During investigation the petitioner and other
co-accused were caught when they, after leaving the Bolero
vehicle, were trying to flee away riding on a bus and the petitioner
confessed his guilt stating the names of other co-accused also.

Submission is of false implication and that there is no legal and tangible material against the petitioner, he was not caught with Bolero vehicle or any weapon, 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 learned APP seriously opposes by submitting that the accused persons were trying to flee away riding on a bus after leaving the Bolero vehicle in question.

In the facts and circumstances stated above, considering the circumstances appearing against 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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