

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18418 of 2016

Arising Out of PS.Case No. -135 Year- 2015 Thana -SIKANDARA District- JAMUI

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1. Rakesh Singh @ Natu Singh Son of Late Tano Singh of Village Karm,
P.S. Nawada, District Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Dubey

For the Opposite Party/s : Mr. Nazir Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 29-06-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Sikandra
P.S. Case No. 135 of 2015 registered for the offences punishable
under Section 302/34 of the Indian Penal Code and Section 27 of
the Arms Act and Section 3, 4 and 5 of the Explosive Substance
Act.

Allegedly, un-known miscreants shot Sanjeev Nayak,
the brother of the informant causing his death, they also threw
bomb which did not blast. The miscreants also took away
Samsung mobile of the deceased having SIM no. 9931688682.
During investigation, on the basis of information furnished by spy
of the police the petitioner was arrested and he confessed his guilt

leading to recovery of fire arm hidden in bush.

Submission is of false implication and that there is no legal and tangible material against the petitioner, the confessional statement of the petitioner has got been recorded forcibly, nothing has been recovered on the basis of confessional statement of the petitioner and it is all maneuvering. Other co-accused Bablu Chaudhary has been allowed bail vide Cri. Misc. No. 16205 of 2016 by different co-ordinate Bench of this Court and, as such, the petitioner also deserves sympathetic consideration.

The learned APP submits that the petitioner has got criminal antecedent also.

In the facts and circumstances stated above, considering the confessional statement of the petitioner leading to recovery of fire arm hidden in the bush and further considering his criminal antecedent, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Sikandra P.S. Case No. 135 of 2015 pending in the Court of learned A.C.J.M., Jamui.

(Jitendra Mohan Sharma, J)

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