

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43515 of 2015

Arising Out of PS.Case No. -149 Year- 2015 Thana -DHANARUA District- PATNA

1. Mantu Sharma @ Nagendra Sharma Son of Saryug Singh Resident of Village-Badiha, P.S.-Dhanarua, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Chandra

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 05-01-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Dhanarua P.S. Case No. 149 of 2015 registered for the offences punishable under Sections 302, 201, 120-B, 379/34 of the Indian Penal Code.

Allegedly Sonu Kumar, who was driving auto bearing No. BR-01PE-9585, was strangled to death and the auto was taken away by two un-known miscreants. During investigation co-accused Tinku Prasad was apprehended and he confessed his guilt stating the name of the petitioner that the petitioner has kept the said auto (tempo) and further the petitioner was apprehended and the tempo was recovered.

Submission is of false implication and that the

petitioner was not involved in committing murder of the deceased Sonu Kumar rather only it has come that the petitioner hide the tempo and sold one of the wheel of tempo. The petitioner by remaining in custody has been sufficiently penalized and, as such, he deserves sympathetic consideration to which the learned A.P.P. opposes by submitting that the petitioner has got criminal antecedent and he is active member of the gang who used to kill the driver and sale the vehicle.

In the facts and circumstances stated above, considering that the petitioner was informed by co-accused to hide the tempo and accordingly, the petitioner hide that tempo which was recovered on the basis of his confessional statement and, as such, at this stage this Court is not inclined to enlarge the petitioner on bail and accordingly such prayer stands rejected.

(Jitendra Mohan Sharma, J)

sushma/-

U			
---	--	--	--