

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58333 of 2015

Arising out of Rupauli Akbarpur PS.Case No. -285 Year- 2014 Thana -RUPAULI District- PURNIA

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Navin Kumar Mandal @ Navin Mandal, Son of Ambika Mandal, Resident
of Village- Badia, Police Station- Barhara, (Raghuvansh Nagar,)District
Purnea.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Viveka Nandsingh, Advocate.

For the Opposite Party : Mr. Md. Ashlam Ansari (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-03-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Rupauli
Akbarpur P.S. Case No. 285 of 2014 registered for the offences
punishable under Sections 302/34, 392 of the Indian Penal Code
and under Section 27 of the Arms Act.

Allegedly Punkesh Kumar @ Pinku Sah, the son of
informant was robbed and shot dead when he was returning after
making collection of money. During investigation the petitioner
and co-accused Chano Mandal were caught with firearm and both
confessed their guilt regarding their involvement in the crime and
on that basis, amount of Rs. 80,000/- kept in plastic was also
recovered.

Submission is of false implication and besides confession there is nothing against the petitioner, the amount has not been recovered from the possession of the petitioner or from his house, there is no legal and cogent material against the petitioner and is suffering in custody since 15.04.2015.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner has got criminal antecedent and further he was caught with firearms and he has confessed his guilt also, call detail report of the mobile of the petitioner and other co-accused have been found at the same location near the place of occurrence.

In the facts and circumstances stated above, considering the recovery of amount on the basis of confessional statement of the petitioner and co-accused, at this stage, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Rupauli Akbarpur P.S. Case No. 285 of 2014 pending in the Court of learned Chief Judicial Magistrate, Purnea.

(Jitendra Mohan Sharma, J)

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