

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.35134 of 2018

Arising Out of PS.Case No. -230 Year- 2017 Thana -BHAGWANPUR District- BEGUSARAI

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Rajeev Kumar, Son of Ranjeet Sharma, Resident of Village Muradpur P.S.
Roseria District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 08-08-2018 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State. Learned counsel for

the informant is also present.

The petitioner has been in custody since 16.12.2017
in connection with Bhagwanpur P.S. Case No. 230/2017
registered for the offences punishable under Sections
302/201/34 of the Indian Penal Code.

The petitioner is alleged to be one of the
accomplices which led to the murder of the two sons of the
informant.

Learned counsel for the petitioner submits that
though it is alleged that the Apache motorcycle was recovered
from the possession of the petitioner actually it was from the



shed behind the house of the petitioner. He thus, submits that it is only on the basis of the statement of the co-accused that he has been taken into custody.

Diary in the present case was called for which has since been received.

Learned counsel appearing on behalf of the informant submits that white coloured Apache motorcycle which was belonging to the deceased and on which both the brothers had gone was recovered from the possession of the petitioner on the basis of the statement of the co-accused made before the one Rita Kumari, Officer-in-Charge, Khodawandpur Police Station, who had first discovered the body of one of the brothers in the possession of the co-accused while they were trying to surreptitiously remove the dead-body. The petitioner is alleged to have run away with the Apache motorcycle and, subsequently, it was recovered from behind the house of the petitioner.

In view of such recoveries made on the basis of the such statement by the co-accused, I am not inclined to grant regular bail to this petitioner.

It is accordingly rejected.

The Court below is directed to expedite the trial so



as to conclude the same within a period of six months from the date of receipt/production of a copy of this order.

(Anjana Mishra, J)

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