

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12494 of 2019

Arising Out of PS. Case No.-289 Year-2018 Thana- RAJGIR District- Nalanda

Chandan Kumar Son of Sri Vinod Singh, Resident of - Village
Paparnausa, p.s-Noorsarai, Dist-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-05-2019 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

The petitioner seeks bail in Rajgir P.S. case No.289 of
2018 registered under Sections 365/34 of the Indian Penal Code,
pending in the court of C.J.M., Nalanda. Later on, Section 302 of
I.P.C. has been added.

The prosecution case, in short, is that informant's nephew,
namely, Jayvardhan was posted as Manager of Bihar Gramin Bank of
Kasar Police Station. On 27.09.2018, his nephew left the Bank at 5
p.m. When his nephew did not reach home, the informant called on
the number of his nephew but same was being told to be switched
off. The informant got suspicious of some untoward happening and
he along with others left to search for his nephew, but nothing could
be ascertained. The villagers disclosed that on 27.09.2018 in the
evening sound of firing was heard and it was felt that some incident



took place near bridge but nothing could be seen as it was dark, but a four wheeler vehicle was seen going towards Giriyak.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.10.2018. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is no other substantive evidence to suggest the implication of the petitioner in the present case nor there is any eye witness to the alleged occurrence.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner is not named in the F.I.R. His name has come in course of investigation on the confession of the petitioner. The vehicle used in the crime is said to have been recovered.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected. The court below is directed to expedite the case.

(Sudhir Singh, J)

Narendra/-

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