

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18307 of 2019

Arising Out of PS. Case No.-444 Year-2018 Thana- GARKHA District- Saran

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Munna Kumar @ Munna Rai Son of Kameshwar Rai @ Kameshwar Ray,
Resident of village- Ramgarha, Police Station- Awtarnagar, District- Saran at
Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr.Satya Prakash

For the State : Mr.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 02-08-2019 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner seeks bail in Garkha P.S. case No.444
of 2018 registered under Sections 302/34 of the Indian Penal
Code and 27 of Arms Act, pending in the court of Additional
Chief Judicial Magistrate 14th, Saran at Chapra.

Prosecution case, in short, is that on 08.10.2018 at
23.30 hours the informant has alleged that his son Piyush Anand
was an employee of Sadar Hospital and on 08.10.2018 at 18.15
hours his son came at his house and after demanding motorcycle
of his friend Antu Jee went for somewhere and at about 9.15
a.m. Secretary of Bar Association, Saran informed the informant



that some occurrence has taken place with his son. The informant rushed to Sadar Hospital, where he came to know that some unknown miscreants has killed his son and he identified dead body of his son.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.10.2018. 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. In course of investigation, on the basis of confession made by the petitioner, the arms used in the occurrence is said to have been recovered from his possession. The sim card used in course of occurrence was also recovered from the possession of the petitioner. The postmortem report also supports the confession made by this petitioner.

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



The Trial Court is directed to take all necessary steps
to expedite the case.

(Sudhir Singh, J)

Narendra/-

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