

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45504 of 2019

Arising Out of PS. Case No.-38 Year-2019 Thana- BHABHUA District- Kaimur (Bhabua)

Balddau Singh @ Chhotu Singh, aged about 30 years, male, Son of Satyendra Singh, Resident of Village- Sikthi, P.S.- Bhabua, District- Kaimur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Krishna Prasad Singh, Sr. Advocate with Mr. Ravi Shankar Sahay, Advocate
For the Informant	:	Mr. Sandeep Sahi with Mr. Abhishek Kumar, Advocates

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 11-12-2019

Heard Mr. Krishna Prasad Singh, learned senior counsel for the petitioner; learned APP for the State and learned counsel for the informant.

2. The petitioner seeks bail in Bhabua P S Case No. 38 of 2019 dated 22.01.2019 instituted under Sections 302, 201, 364/34 of the Indian Penal Code.

3. Learned counsel for the petitioner submitted that he is the brother of daughter-in-law of the deceased and has been falsely implicated as there was dispute going on between the parties. It was submitted that in the FIR itself, it has been stated that the grandsons of the deceased i.e. sons of the daughter-in-law, had taken away the deceased with them on the pretext of buying medicine and further, it has been stated that there was litigation between the parties. It was submitted that in view thereof, it cannot



be accepted that the deceased would have gone with the sons of a person with whom serious litigation is going on. Learned counsel submitted that the petitioner has been remanded in the present case on 28.03.2019.

4. Learned APP and learned counsel for the informant, from the case diary, submitted that on the confessional statement of the petitioner, the motorcycle has been recovered from Mugalsarai Junction with bloodstains and the sequence of events, as narrated in the confessional statement is clear, cogent and at this stage, it cannot be ignored. It was further submitted that there is also motive, which has come during investigation with regard to the petitioner's role in the crime. It was submitted that the body which was thrown away in the river Ganges, has not been recovered.

5. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to enlarge the petitioner on bail.

6. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

Vikash/Ranjit

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