

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6266 of 2020

Arising Out of PS. Case No.-308 Year-2019 Thana- KUDRA District- Kaimur (Bhabua)

SHYAM LAL BIND Son of Late Ram Kishun Bind Resident of Village -
Amaon, P.S. - Chainpur, District - Kaimur (Bhabua).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Sunil

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 04-06-2020

Heard learned counsel for the parties.

The Petitioner seeks bail in **Kudra P.S. Case No. 308 of 2019** registered for the offence punishable under Sections 279, 304(A), 302, 301, 392, 411, 328/34 of the IPC.

Informant is Chowkidar who in his written complaint has alleged that on 03.10.2019 he found that one person has been crushed to death by unknown vehicle and identity of deceased could not be ascertained. In the meanwhile police arrived at the place of accident and took away the dead body for post-mortem.

However, during investigation, it was revealed that deceased was abducted and his belongings were looted and thereafter he was killed and on the confession of co-accused



Pintu Keshir Bolero Jeep and Apache Motorcycle was recovered from the house of petitioner. Mobile location of accused supports the case of prosecution.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on mere suspicion. Petitioner is not named in the FIR. It has been submitted on behalf of the petitioner that the name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Pintu Keshri. Petitioner has got no criminal antecedent and is in custody since 20.11.2019.

Learned APP for the State opposes the prayer for bail.

Considering the fact, that on the confession of co-accused Bolero Jeep used to crush the deceased and Apache Motorcycle was recovered from the house of petitioner, I am not inclined to enlarge the petitioner on bail. Hence, the prayer for bail of the petitioner is hereby rejected.

However, it is observed that petitioner would be at liberty to renew his prayer for bail after framing of charge.

(S. Kumar, J)

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