

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21651 of 2020

Arising Out of PS. Case No.-101 Year-2019 Thana- SANOKHAR District- Bhagalpur

Sanjay Kumar, aged about 32 year, Male, Son of Gobardhan Mahto, Resident of Village- Bhuwanchak, P.S.- Sanhaulla, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate
For the State : Mr.Sanjay Kumar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 12-10-2020 Heard the parties through the virtual court proceeding.

The petitioner seeks bail in connection with Sanokhar P.S. Case No. 101 of 2019 registered for the offence punishable under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

In the F.I.R., it has been stated that on 10.08.2019, the informant's cousin brother namely, Md. Kamarool Hassan had gone to see off his BAHNOI from village Shital to Sonaguji and he was returning his home Shital at about 7.30 P.M. in the way at Takachak village Md. Kamarool Hassan was murdered by firearms which information reached to them in the morning. He was having one mobile carrying mobile nos.8051512249 and 8102264625 and one motorcycle Passion Pro bearing Registration No.JH17 E 7532. On the basis of aforesaid written



report, the police registered Sanokhar P.S. Case No.101 of 2019 on 10k.08.2019.

Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence and has falsely been implicated in this case. He has further submitted that the name of the petitioner has come in the confessional statement before the police. He further submitted that the petitioner is in jail custody since 26.08.2019.

On perusal of the case diary vide paragraphs 35 and 36, it transpires that as per CDR of Mobile No.9798296259 of the petitioner he was present on the spot along with other accused persons at the time of occurrence. It further appears vide paragraph-47 that the accused petitioner has given his confession. As per paragraph-49 of the case diary, weapons of offence was recovered on the basis of inculpatory confession of the accused petitioner.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, I am not inclined to enlarge the above named petitioner on bail. Accordingly, the prayer for bail of the petitioner in connection with Sanokhar P.S. Case No.101 of 2019 pending in the court of learned C.J.M., Bhagalpur is hereby rejected. However, the



petitioner may renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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