

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31748 of 2021**

Arising Out of PS. Case No.-439 Year-2020 Thana- BHORE District- Gopalganj

Rabbey Alam S/o Mubarak Sai R/o village- Mishrouli, P.S.- Bhore, District-
Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad
For the Opposite Party/s : Mrs.Asha Devi

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3. 06-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Bhore P.S. Case No. 439 of 2020, registered for the offence under Section 302 / 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, on 15.12.2020 at about 7:00 AM, while the informant was going to his shop, in the meanwhile, he received an information that some unknown miscreants have committed the murder of his son by fire-arm.

Petitioner is not named in the FIR. Name of the petitioner has come on the basis of self-confessional statement of petitioner, which has got no evidentiary value in the eye of law. No incriminating article has been recovered from the conscious possession of the petitioner and he is in custody since 18.12.2020.



However, learned A.P.P. for the State opposed the bail petition and submitted that there is specific allegation against this petitioner of committing murder of deceased and during course of investigation, in paragraph – 43 of the case diary, it has come that a country-made pistol and knife (iron dab), used in the murder, were recovered from the house of this petitioner.

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

(Prabhat Kumar Singh, J.)

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