

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 32604 of 2020

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

Chhotu Singh @ Baldau Singh, age about 30 years, Son of Satendra Singh,
Resident of Village- Sikathi, PS- Bhabua, District Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Tribhuwan Narayan, Advocate
For the State	:	Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 10-02-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Tribhuwan Narayan, learned counsel for the petitioner and Mr. Parmeshwar Mehta, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner is in custody in connection with Bhabua PS Case No. 38 of 2019 dated 22.01.2019, instituted under Sections 302, 201 and 364/34 of the Indian Penal Code.

4. This is the second attempt for bail by the petitioner as earlier such prayer was rejected by order dated 11.12.2019 in Cr. Misc. No. 45504 of 2019.



5. The allegation against the petitioner is that he was party to killing of his brother-in-law (husband of his sister) who was the son of the informant.

6. Learned counsel for the petitioner submitted that he has been falsely implicated only because he is the brother of the wife of the deceased and that the deceased had lodged cases against the petitioner and his father. He submitted that the confessional statement of the petitioner is before the police which was not voluntary and cannot be relied upon and he has been remanded in the present case on 28.03.2019.

7. Learned APP submitted that there is strong motive of the petitioner to kill the deceased and further the deceased had gone with his wife and two sons to buy medicine and thereafter the wife and two sons had gone to her parent's place and the deceased had not returned and later the petitioner had confessed and also given details of the vehicle on which the deceased was taken, killed and the body thrown in the Ganges river and on his confession, the vehicle was recovered from the parking stand of Deen Dayal Upadhyaya Railway Station and blood was also found in the vehicle. It was submitted that co-accused Prabhat Kumar has also confessed to his complicity in the crime. It was further submitted that the petitioner is accused in nine other cases right



from the year 2005 under serious sections of the Indian Penal Code including Sections 307 and 302 of the Indian Penal Code.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court does not find any fresh ground has been made to consider the prayer for bail of the petitioner.

9. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J.)

P. Kumar/Anand Kr.

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