

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39429 of 2021

Arising Out of PS. Case No.-240 Year-2020 Thana- BYPASS District- Patna

SONU SAH @ SONU KUMAR S/o Uday Kumar R/o Mohalla- Maharajganj
Kurmi Tola Bhutaha Gali, P.S.- Alamganj, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Shashi Shekhar Kumar, Advocate
For the informant	:	Mr. Prem Kumar Jha, Advocate Mr. Rajesh Kumar Jha, Advocate Mr. Mukesh Mishra, Advocate
For the State	:	Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 12-04-2022 Heard Mr. Yogesh Chandra Verma, learned senior counsel for the petitioner, Mr. Prem Kumar Jha, learned counsel for the informant and Mr. Akshay Lal Pandit, learned Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Bypass P.S. Case No. 240/2020 registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code 1860.

The allegation, as per the First Information Report, is that the petitioner called upon the Mobile phone to the informant's son, namely, Chhotu Kumar on 22.7.2020 at about 7:00 PM and on the call of the petitioner the deceased left his



house in order to collect Rs.10,000/- out of the total loan given by the deceased to the petitioner of Rs.35,000/- and on 23.7.2020 the dead body of the informant's son was found in the pond.

Learned counsel for the petitioner submits that the petitioner has been implicated in this case based upon the confessional statement and except the confessional statement, there is no material to connect the petitioner with the present offence. He further submits that the petitioner is in custody since 22.7.2020 and the trial is not likely to be concluded in near future.

On the other hand, learned counsel for the informant submits that the petitioner called the informant's son on 22.7.2020 on his Mobile phone and during course of investigation and based upon the CDR it came to light that the call was made by the petitioner on the Mobile Phone of the deceased. He further submits that when the dead body was taken out from the Pond, the care taker of the Pond disclosed that two persons were seen fleeing near the Pond and one person was holding a bag in his hand. He next submits that in the CC TV footage of the area, the petitioner was seen along with the deceased and was also seen fleeing away from the place of



occurrence and on the basis of confessional statement of the petitioner, the weapon of crime has been recovered from the bag. The petitioner was holding the bag as stated by the care taker of the Pond.

Regards being had to the submission made by the parties and taking into consideration the materials on record, this Court is satisfied that there is *prima facie* evidence against the petitioner to connect him with the present offence, I am not inclined to grant regular bail to the petitioner.

Accordingly, the prayer for bail of the petitioner stands rejected.

However, the trial court is directed to expedite the trial.

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

