

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40400 of 2022

Arising Out of PS. Case No.-46 Year-2022 Thana- RAJEPUR District- East Champaran

Md. Ahmad Son of Md. Kasim @ Kasim Miyan Resident of Village -
Madhuahan Brit, P.S. Rajepur, District - East champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 01-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Rajepur P.S. Case No. 46 of 2022 lodged under Sections 302,
120-B/34 of the I.P.C.

As per the prosecution case, the F.I.R. has been
lodged against unknown accused persons by the informant that
his son has not returned on the date of 17.02.2022, then he
started searching but subsequently, he received information in
the morning that his dead body was recovered and near his dead
body a knife was there. Thereafter, the present F.I.R. has been
lodged.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He submits that his name has not figured in the F.I.R. and his name has figured in the case by virtue of the confessional statement of co-accused. He further submits that petitioner is in custody since 20.02.2022 having clean antecedent.

Learned counsel for the State opposes the prayer for bail and submits that the case diary is required in this case. The relevant material of the case diary is available in the order sheet by which it categorically transpires that the petitioner has accepted his guilt in the confessional statement and by virtue of the confessional statement, the arms used in the crime has been recovered.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner and his bail application is hereby rejected.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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