

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21434 of 2023

Arising Out of PS. Case No.-495 Year-2021 Thana- BYPASS District- Patna

Monu Patel Son Of Late Kalyan Singh Resident Of Villlage- Jajak Toli, Nai Sadak Ps- Chowk, Distt- Patna Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudra Deo, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 05-09-2023 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 29.05.2022 in connection with Bypass P.S. Case No. 495 of 2021, F.I.R. dated 18.12.2021 for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, two miscreants fired upon the brother of the informant and on one Abhishek Kumar due to which they sustain gunshot injury resulting into their death.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of the self confessional



statement of the petitioner which was recorded in Chowk P.S. Case No. 149 of 2022 and till date no T.I.P. has been conducted by the prosecution. He further submits that except the self confessional statement of the petitioner, no other material has come during investigation to suggest the involvement of the petitioner in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the confessional statement of the petitioner was supported by the postmortem report of the deceased and the case is of double murder and the petitioner carries 14 criminal antecedents other than the present one where all are serious in nature.

6. Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection with Bypass P.S. Case No. 495 of 2021 pending in the court of learned Additional Chief Judicial Magistrate IV, Patna City, Patna.

8. Prayer is refused.

(Rajesh Kumar Verma, J)

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