

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68001 of 2022**

Arising Out of PS. Case No.-165 Year-2022 Thana- CHAND District- Kaimur (Bhabua)

SHARWAN GOND S/O DINA NATH GOND Resident of village- Merh,
P.S.- Chainpur, District- Kaimur at Bhabua. Petitioner/s
Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shyam Bihari Singh, Advocate
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 12-04-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since 20.06.2022 in connection with Chand P.S. Case No. 165 of 2022, F.I.R. dated 17.06.2022 registered for the offence punishable under Sections 302/379/34 of IPC.

The prosecution case, in short, is that the informant alleged that on 17.06.2022, someone informed the informant that her husband was killed by the contractor Sarvan Gond and other labourers in the mid night who thereafter, fled away from there after taking away bag of her husband in which there was an amount of Rs. Two Lakhs.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. In fact the petitioner is



Contractor and he has no concern at all with the alleged occurrence and the name of the petitioner has falsely been implicated in the present case only on the basis of suspicion.

Learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for bail of the petitioner and submits that it has come during investigation that the petitioner has killed the deceased and the petitioner, in his confessional statement, accepted that he alongwith other co-accused persons have killed the deceased and the confessional statement of the petitioner lead to recovery of the *Die* which was used in the alleged occurrence. He further submits that the bail application of co-accused, namely, Rakesh Kumar has been rejected by a Coordinate Bench of this Hon'ble Court vide order dated 22.02.2023 passed in Cr. Misc. No.62278 of 2022.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Chand P.S. Case No. 165 of 2022 pending in the court of learned Additional Chief Judicial Magistrate-IV, Kaimur at Bhabhua.

Prayer is refused.

(Rajesh Kumar Verma, J)

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