

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28004 of 2024

Arising Out of PS. Case No.-74 Year-2024 Thana- BHABHUA District- Kaimur (Bhabua)

Sandeep Kumar son of Mahendra Prajapati Village- Khaira Ps- Bhabhua Dist-
Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Tribhuwan Narayan
For the informant	:	Mrs. Kiran Kumari Sharma
		Mr. Amit Ranjan
For the State	:	Mr. J.N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

4 28-08-2024 Heard the learned counsel for the petitioner as well
as the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Bhabhua (Sohan) P.S. Case No. 74 of 2024 for the offences
punishable under Sections 302/34 of the Indian Penal Code.

3. As per prosecution case, the informant's son used
to work in Gujarat to earn his livelihood. It is further alleged
that on the occasion of Chhath, he came to his village and it is
alleged that on 01.02.2024 he went out from his house but he
did not return. On search, the dead body of the informant's son
was found lying in a room of new constructed house of Prabhu
Prajapati.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. He has further submitted that he has not been named in the FIR. None had seen the occurrence and in the entire case diary, except the confessional statement of the petitioner, there is nothing against him. The confessional statement as per submission of the learned counsel is not admissible in evidence.

5. On the other hand, the learned counsel for the informant as well as the learned APP for the State have opposed the prayer for bail and submitted that the petitioner has rendered his self-inculpatory confessional statement in which he has stated that he killed the deceased after inflicting brick bats on his head. He has further submitted that on the basis of self-inculpatory confessional statement of the petitioner, the knife whereby the petitioner inflicted blows on the face of the deceased, was recovered.

6. It appears that the confessional statement of the petitioner is leading to recovery of the knife whereby the assaults were made on the face of the deceased, as confessed by the petitioner. The post mortem report shows that except other injuries, the incised wounds were also found on the face and near eye of the deceased.

7. Considering the above-mentioned facts and



circumstances, I do not find a fit case for grant of bail, which is hereby rejected.

8. The learned court below shall take endeavor to conclude the trial as early as possible.

(Nawneet Kumar Pandey, J)

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