

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46574 of 2024

Arising Out of PS. Case No.-378 Year-2023 Thana- PUPRI District- Sitamarhi

Md. Abbas Sah @ Abbas Sah Son Of Late Md. Mustak Sah Village- Hardiya
Ward No. 05, Tole Lahma, Ps- Pupri, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Virendra Kumar, Advocate
For the State	:	Mr. Aditya Narayan Singh.1, APP
For the Informant	:	Mr. Shankar Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-09-2024 Heard Mr. Virendra Kumar, learned counsel for the

petitioner, Mr. Shankar Kumar, learned counsel for the informant
and Mr. Aditya Kumar Singh.1, learned A.P.P. appearing on behalf
of the State.

2. The petitioner seeks bail, who is in custody since
09.09.2023, in connection with Pupri P.S. Case No. 378 of 2023,
FIR dated 02.09.2023 registered for the offence under Sections
302, 436 and 120(B) of the Indian Penal Code.

3. As per the prosecution case, petitioner along with
other co-accused person have committed the murder of Mustak
Sah. It is further alleged that after killed the deceased the accused
persons have thrown the dead body of the deceased on the railway
track.

4. Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and he
has falsely been implicated in this case merely on the basis of the



suspicion. He further submits that during the investigation the petitioner has confessed his guilt and except the aforesaid no other material has come during the investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that the informant is not the eye witness of the alleged occurrence. The petitioner is rotting in judicial custody since 09.09.2023.

5. Learned counsel for the informant as well as learned A.P.P. for the State, on the other hand, have opposed the prayer for bail of the petitioner and submit that apart from the self confessional statement of the petitioner the knife which was used in the present crime in question was recovered on the basis of the information furnished by the petitioner and confessional statement of the petitioner also supported by the medical evidence (post-mortem report).

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Pupri P.S. Case no. 378 of 2023 pending in the Court of learned S.D.J.M, Pupri at Sitamarhi.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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