

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48097 of 2024

Arising Out of PS. Case No.-434 Year-2023 Thana- BANMANKHI District- Purnia

Chandan Sah @ Chandra Kishore Sah son of Sri Sukhadeo Sah Village- Pipra
Ps- Banmankhi Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv
Ms.Diksha Kumari, Adv
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 05-10-2024 1. Heard learned senior counsel for the petitioner,
Shri. N.K. Agrawal and learned A.P.P. for the State.
2. The petitioner seeks bail in connection with
Banmankhi P.S. Case No. 434 of 2023 registered for the
offences punishable under Sections 302, 201, 323, 307, 450 and
34 of the Indian Penal Code.
3. Learned senior counsel for the petitioner submits
that petitioner has antecedent of one case and is in custody since
22-4-2024 and the informant alleges that on 2-10-2023, his
cousin brother Shiv Kumar came at 4 AM and informed that
three masked accused came to his house and assaulted him and
threw him in a paddy field next to his house and thereafter
abducted his aunt, Sangeeta, further during course of search



dead body of Sangeeta was recovered from a canal.

4. Learned senior counsel for the petitioner submits that petitioner has been falsely implicated in the instant case during the course of investigation. It is next submitted that during the course of investigation, it transpired that the husband of Sangeeta, i.e., Om Prakash, was involved in the occurrence, accordingly he was arrested and Om Prakash in his confession disclosed the name of the petitioner and others. It is next submitted that OM Prakash in his confessional statement confessed that he was married from before and had gone to Punjab for work where he fell in love with Sangeeta and thus he got married and brought her back to the village where from the wedlock, a child was born, further his first wife left him, he further states that he again went to Punjab and in his absence Sangeeta fell in love with Sanjeet Kumar, his own nephew and the said fact came to the knowledge of villagers as such a Panchayati was convened and Sangeeta was married to Sanjeet, further a video of Sanjeet and Sangeeta went viral which caused mental agony to him on account of which the occurrence was committed. Learned senior counsel next submits that Om Prakash has confessed that it was at his behest that the occurrence was committed. It is next submitted that confession



before police is not admissible in evidence.

5. Learned APP opposes the regular bail application and submits that name of this petitioner transpired in the confessional statement of Om Prakash, who is husband of the deceased, and if regular bail is granted to the petitioner, the petitioner may abscond.

6. At this stage, learned senior counsel for the petitioner seeks permission to withdraw the regular bail application with liberty to renew his prayer for bail after framing of charge.

7. Permission is accorded.

8. Accordingly, the present regular bail application is dismissed as withdrawn.

(Satyavrat Verma, J)

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