

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59089 of 2024

Arising Out of PS. Case No.-237 Year-2024 Thana- KANKARBAG District- Patna

Sandeep Kumar Yadav Son of Manish Kumar Yadav Resident Of Mohalla -
Patharighat, Devi Asthan, Police Station - Alamganj, District – Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 22-11-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of regular bail, arises out of Kankarbagh Police Station Case No. 237 of 2024, dated 04.04.2024, disclosing offences under Sections 302, 34 of the of the Indian Penal Code and 27 of the Arms Act.

3. The prosecution case, as per the First Information Report, is that 04.04.2024, the brother of the informant, who was working as a vendor in Anamica Indane Gas Agency, Kankarbagh, was shot dead by two unknown persons, who were riding on a motorcycle.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on the basis of his confessional statement made before the police. Learned



counsel further submits that except the confessional statement, no material has been recovered by the police during the course of investigation.

5. On the other hand, learned counsel for the informant vehemently opposed the prayer for bail and submits that the petitioner has criminal antecedent of five cases and has confessed his guilt. He further submits that the ownership of the motorcycle is in the name of the sister of the petitioner and in his confessional statement, the petitioner himself has stated that he used the motorcycle of her sister for the contract killing of the deceased and the motorcycle which was used by the petitioner at the time of occurrence has been found on the spot which is clearly seen in the C.C.T.V. footage of the locality. He next submits that regular bail application of co-accused, who was involved in conspiracy, have been rejected by this Court vide order dated 25.10.2024, passed in Cr. Misc. No. 69147 of 2024.

6. Having regard to the submissions made by learned counsel for the parties and taking into consideration the gravity of offence and the severity of punishment and the fact that petitioner is having five criminal antecedents as also considering the fact that regular bail application of co-accused has been



rejected by this Court, I am not inclined to grant regular bail to the petitioner, at this stage.

7. This application is, accordingly, rejected.

8. However, the petitioner may renew his prayer for bail after one year, if the trial does not show any progress.

(Anil Kumar Sinha, J)

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