

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13120 of 2015

Arising Out of PS.Case No. -208 Year- 2014 Thana -AHIAPUR District- MUZAFFARPUR

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Md. Samim S/o Md. Halim @ Baktu Mian resident of Village - Bada Jagarnath, P.S. - Ahiyapur, District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn

For the Opposite Party/s : Mr. J.N. Thakur (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 07-05-2015

Heard learned counsels for the petitioner and the State.

The petitioner is languishing in custody since 04.10.2014 in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

It is alleged that the petitioner, co-accused, Md. Sonu and Chuliya Khatoon took the son of the informant on 09.04.2014 at 7.00-8.00 P.M. for going to Patna. On 10.04.2014 in the morning the dead body of the son of the informant was found near NH-57.

It is submitted by learned counsel for the petitioner that only on the basis of circumstantial evidence the accusation has been levelled. There is no direct evidence collected

during investigation and investigation has already concluded.

Considering the proximity of time between the last seen and the recovery of the dead body, this Court is not inclined to grant bail to the petitioner for the present in connection with Sessions Trial No. 80 of 2015 arising out of Ahiyapur P.S. Case No. 208 of 2014 pending in the court of learned 9th Additional Sessions Judge, Muzaffarpur.

Accordingly, the prayer for bail of the petitioner is rejected.

(Dinesh Kumar Singh, J)

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