

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24225 of 2014

Arising Out of PS.Case No. -44 Year- 2013 Thana -AGHORA District- BHABHUA (KAIMUR)

1. Rasid Ansari @ Rashid Ansari S/o Salim Ansari, Resident of Village-
Madapa, P.S.- Adhaura, District- Kaimur (Bhabua)

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.31795 of 2014

Arising Out of PS.Case No. -44 Year- 2013 Thana -AGHORA District- BHABHUA (KAIMUR)

1. Md. Sakil Ahmad @ Md. Sakil S/o Md. Amaluddin
2. Maksud Khan @ Manu S/o Sageer (Ansari) Khan Both are Resident of
Village Adhwara, Police Station Kaimur, District Kaimur.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.46305 of 2014

Arising Out of PS.Case No. -44 Year- 2013 Thana -ADHAURA District- BHABHUA (KAIMUR)

1. Tayab Sah @ Tayab Sah Khan @ Pintu Son of Yaqoob Sah Resident of
Village - Babhni, P.Sd.-Adhaura, Dist.-Kaimur
2. Rajesh Uraon, Son of Manbahal Uraon, Resident of Village - Bhaluari,
P.S.-Rohtas, Dist.-Rohtas

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.24225 of 2014)

For the Petitioner : Mr. Rakesh Singh

For the Opposite Party : Mr. U.L.Verma (App)

(In Cr.Misc. No.31795 of 2014)

For the Petitioners : Mr. Prabhakar Jha

For the Opposite Party : Mr. Indu Kumari Srivastav (App)

(In Cr.Misc. No.46305 of 2014)

For the Petitioners : Mr. Syed Asgher Najmi
For the Opposite Party : Mr. Ram Chandra Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 19-01-2015

Petitioners are languishing in custody since 27.12.2013 and 29.12.2013 in a case registered for the offences punishable under Sections 363, 365, 120(B)/34 of the I.P.C. Subsequently Sections 302, 201, 364 I.P.C were also added.

Accusation is kidnapping and killing son and two nephews of the informant. During course of investigation the petitioner Md. Sakil Ahmad was apprehended who confessed the guilt and on his confession other petitioners were apprehended who also confessed their guilt. On confession of petitioner Md. Sakil Ahmad the dead bodies were recovered along with the arms used in commission of the offence and mobile of the victims from the possession of Md. Sakil Ahmad.

It is submitted by learned counsel for the petitioners Tayab Sah and Rajesh Uraon that their confession are very brief and the specific admission is only of Md. Sakil Ahmad and only on the basis of confession before the police these petitioners have been roped in. It is submitted by learned counsel appearing on behalf of petitioner Md. Sakil Ahmad that confession is before the police and the arms seized from the petitioner was not sent to the ballistic expert for examination.

It is submitted by learned counsel for the informant that confession of the petitioners are admissible

since in pursuance to the confession all the three dead bodies, arms used for killing the victim and the motorcycle and mobile of the victims were recovered. Moreover trial is at the advanced stage.

Considering the aforesaid facts, this Court is not inclined to grant bail to the petitioners.

Accordingly the applications are dismissed in connection with Adhaura P.S. Case No. 44 of 2013, Sessions Trial No. 97 of 2014, pending in the Court of learned Adhoc Additional District Judge-I, Bhabhua.

(Dinesh Kumar Singh, J)

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