

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42085 of 2014

Arising Out of PS.Case No. -39 Year- 2014 Thana -MANIGACHI District- DARBHANGA

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1. Deva Nand Dwedi Son of Shiv Shankar Dwedi Residnet of Village -
Gohanna Police Station - Haryanpur Distt- Rai Baraili (Uttar Pradesh)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate.

For the Opposite Party/s : Mr. Raj Kishor Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 09-02-2015 Heard both sides.

The petitioner seeks bail in Manigachi P.S. Case No.
39 of 2014, registered for the offence punishable under Section
302 of the Indian Penal Code.

According to the prosecution case, the truck owner
and the driver of the truck bearing Registration No. HR 55Q-3670
alleged that his co-driver Dharampal Singh was sleeping with the
cleaner of the truck in the cabin of the truck itself, but the cleaner
of the truck killed Dharampal Singh as he wanted to commit
unnatural offence.

Learned counsel for the petitioner submits that the
petitioner has not committed any offence. From the prosecution
case itself, it appears that the same is not believable as the

petitioner and co-driver was sleeping in the cabin itself. The co-driver was killed by an injury caused by hard and blunt object although there is allegation that he was strangled to death.

On perusal of records, it appears that there is very specific allegation against the petitioner that the petitioner firstly tried to commit unnatural offence and thereafter strangled him to death, hence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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