

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14799 of 2015

Arising Out of PS.Case No. -405 Year- 2013 Thana -KANKARBAGH District- PATNA

Lallu Tiwari @ Lallan Tiwari @ Prashant Kumar @ Prashant Kumar Tiwari
Son of Sri Yugal Kishore Tiwari, Resident of village- Sanda, P.S.-
Islampur, District- Nalanda. At present resident of North Mandiri Near
Dwarika School, Police Station- Budha Colony, District- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Chaudhary

For the Opposite Party/s : Mr. Indu Bala Panday(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

04/ 11-05-2015

Heard learned counsels for the petitioner and
the State.

The petitioner is languishing in custody since
26.06.2014 in a case initially registered for the offences
punishable under Sections 365/34 of the Indian Penal Code.
Subsequently, sections 302, 201, 120B and 411 of the Indian Penal
Code.

It is alleged that the victim, the elder brother
of the informant, was residing with one Ashok Kumar, who

realized Rs.Four lakhs for getting the appointment successful through competitive examination by fraudulent means, but subsequently the money was not returned.

During investigation it transpired that this petitioner was also on the boat on which the victim was taken, though, he was shot at by some other accused, but this fact has also transpired that the petitioner was also paid Rs.15,000/- by Ashok Kumar.

It is submitted by learned counsel for the petitioner that the accusation of killing the victim is not against the petitioner and other person Maniash Kumar, whose name also sprang up like the petitioner, has been granted bail vide Cr. Misc. No. 10291 of 2014.

It is submitted by learned counsel for the State that during investigation it transpired that the boat on which the victim was taken and killed the petitioner was also an associate of the miscreants and the petitioner also paid Rs.15,000/- by main accused Ashok Kumar.

Considering the nature of accusation, this Court is not inclined to grant bail to the petitioner at present in connection with Sessions Trial No. 2(a) of 2014 arising out of Kankarbagh P.S. Case No. 405 of 2013 pending in the court of

learned Additional Sessions Judge-IV, Patna.

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

Let the trial be expedited.

(Dinesh Kumar Singh, J)

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