

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41225 of 2015

Arising Out of PS.Case No. -164 Year- 2015 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

=====

1. Sudama Prajapati @ Sudama Prasad, son of Sri Jagarnath Prajapati,
resident of Village- Nawadih, P.S.- Indrapuri, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh
For the Opposite Party/s : Mr. Ansuaiya Jaiswal (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State as also learned counsel for the informant.

The petitioner seeks bail in Dehri (Indrapuri) P.S. Case
No.164/2015 registered under Sections 364, 120 (B), 302 and 201
of the Indian Penal Code.

The prosecution case, in short, is that one Manoj Kumar
Mishra filed a written report before the Indrapuri (Dehri) Police
Station stating therein that his villager, namely, Sudama Prajapati
and one other came to his door and called one Dhiraj Kumar
Mishra by name and when his son came out, they taken away him
with themselves and the son of the informant never returned till
today.

It is submitted on behalf of the petitioner that the

petitioner has got no criminal antecedent. He is in custody since 12.04.2015. The charge sheet has been submitted in this case. There is no allegation of tampering with the evidence against the petitioner. There is no eye witness to the alleged occurrence. No offence under Section 364 I.P.C. is made out against the petitioner.

On behalf of the State and the informant, it has been submitted that the petitioner is named in the first information report and on the confession of the petitioner, the dead body of the deceased is said to have been recovered.

Considering the facts aforesaid, I am not inclined to grant bail to the petitioner and the same is rejected.

Any how, the trial court is directed to take all necessary steps to expedite the trial and conclude the same, preferably within a period of one year from the date of receipt/production of a copy of this order.

V.P.Sinha/-

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(Sudhir Singh, J)