

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7959 of 2016

Arising Out of PS.Case No. -458 Year- 2014 Thana -BARACHATTI District- GAYA

=====

Santosh Ram @ Santosh Kumar Ram Son of Ram Bilash Ram, Resident of
Village- Arti , P.S.- Deo, District-Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. A.L.Pandit (APP)

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 28-04-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in
connection with Barachatty P.S. Case No. 458 of 2014 registered
for offences under sections 302, 201, 328, 379/34, 120(B) of the
Indian Penal Code.

A dead body of unknown person was spotted on the
road side. During investigation it transpired that the petitioner and
Shankar Das connived and killed the victim by running over the
truck and later on, the petitioner called Sipahi Ram and others and
sold out the material which was later on recovered from
Hazaribagh.

Paragraphs 35, 36, 37, 38 of the case diary are

sufficient indicating the involvement of the petitioner in the aforesaid incident

The counsel for the petitioner has produced the order passed by this Court in Cr. Misc. No. 4680 of 2014 (Sanoj Paswan vs. the State of Bihar) and Cr. Misc. No. 23067 of 2015 (Shankar Das vs. the State of Bihar). He further submits that both the persons are identically situated, have already been granted bail and case of the petitioner is standing on the same footing.

In both the cases, it does not show that the Court occasioned to examine the case diary as the orders do not disclose materials available in the case diary, as from the case diary it appears that there are sufficient materials indicating involvement of the petitioner in the incident.

In such view of the matter, this Court is not inclined to grant bail to the petitioner. Accordingly, this petition is rejected.

(Shivaji Pandey, J)

Mahesh/-

U		T	
---	--	---	--