

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6435 of 2016

Arising Out of PS.Case No. -62 Year- 2013 Thana -MARKAHI District- KHAGARIA

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Akhilesh Kumar Singh, S/o Late Bishun Singh, Resident of Village-
Saraiya, P.S.- Chautham, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Srivastava (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 20-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Morkahi
P.S. Case No. 62 of 2013 registered for the offence punishable
under Section 346/34 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused being in
collusion and conspiracy kidnapped Jaswir Kumar and his son
Chandan Kumar aged 6 years and it is suspected that Jaswir
Kumar might have been murdered and Chandan Kumar was kept
by the petitioner at the house of his *Sarhu*, who was recovered
with the help of the police.

Submission is of false implication and that Chandan
Kumar was recovered on 31.05.2013 but complaint case has been
filed on 06.06.2013 after much delay, besides suspicion there is

nothing against the petitioner, without any legal and tangible material the petitioner is suffering in custody since 27.05.2015, he has got no concern either with Manju Devi or Vinod Rai, the said child was not recovered from the house of the petitioner and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that the petitioner is the main accused and prayer of bail of Vinod Rai has already been rejected vide Cri. Misc. No. 29049 of 2014.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, serious in nature which find support during investigation in the statement of the witnesses and the petitioner stating his name as Bhagwan Ram kept Chandan Kumar at the house of Kusum Devi and, as such, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Morkahi P.S. Case No. 62 of 2013 pending in the Court of learned C.J.M., Khagaria.

However, considering the detention of the petitioner let the trial be expedited and concluded as early as possible, preferably within a period of 9 months.

(Jitendra Mohan Sharma, J)

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