

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13726 of 2016

Arising Out of PS.Case No. -161 Year- 2015 Thana -KHARIK District- BHAGALPUR

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1. Suman Kumar @ Suman Kumar Singh S/o Hitalal Prasad Singh,
Resident of Village- Bishwapuria , PS- kharik, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav

For the Opposite Party/s : Mr. Sangita Sharma (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 20-06-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Kharik P.S. Case No. 161 of 2015 registered for the offences punishable under Sections 376-D, 307, 120-B/34 of the Indian Penal Code and later on Section 302 IPC has been added.

Allegedly, The petitioner took away Arti Devi, the wife of the informant to participate in the feast and thereafter, she was found in un-conscious state having injuries. It is also alleged that the petitioner and other accused persons committed rape, with an intention to kill her they injured her and threw her on the road.

Submission is of false implication and that there is no eye witness of the occurrence, due to darkness the victim lady fell

down on hard space and she got head injury and became fatal to her life, the petitioner has got no concern with the said incident, due to property dispute the petitioner has been implicated. Other co-accused Mithun Kumar @ Mithun Kumar Singh has been allowed bail and, as such, the petitioner also deserves sympathetic consideration, to which the learned APP opposes by submitting that the petitioner has taken away Aarti Devi on motorcycle and thereafter she was thrown on the road after causing serious injury to her and during treatment she died. The case of the petitioner is different to that of co-accused Mithun Kumar @ Mithun Kumar Singh.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, at present, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Kharik P.S. Case No. 161/15 pending in the Court of learned A.C.J.M., Naugachia, Distt. Bhagalpur.

(Jitendra Mohan Sharma, J)

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