

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12933 of 2016

Arising Out of PS.Case No. -257 Year- 2015 Thana -CHARPOKHARI District- BHOJPUR

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Sheo Shankar Sah @ Kariya Sah S/o Hirdaya Sah Resident of village -
Chandi, P.S. Charpokhari, Distt. - Bhojpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Rajani Ranjan Pd. Singh, Advocate.
For the Opposite Party : Mr. Anuj Kr.Srivastava(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 06-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with
Charpokhari P.S. Case No. 257 of 2015 registered for the offences
punishable under Sections 364, 120(B)/34 and 302 of the Indian
Penal Code.

Allegedly, Sanjay Yadav, the husband of the
informant went with Kamta Mushar @ Jhulan Mushar and
thereafter he did not return and Kamta Mushar has stated that
Sanjay Yadav was taken away by Dasarath Paswan, Kariya Sah
and 4-5 other persons at the point of gun. During investigation co-
accused Deepak Paswan was caught and he confessed his guilt
stating the name of others including the petitioner and on the basis

of confessional statement of Deepak Paswan, the dead body of Sanjay Yadav was recovered from the Well.

Submission is of false implication and that besides confessional statement of co-accused there is no legal and tangible material, there is no direct or circumstantial evidence against him, other co-accused except Deepak Paswan have already been allowed bail and as such the petitioner, who is suffering in custody since 15.01.2016 also deserves sympathetic consideration to which learned A.P.P. opposes the prayer of bail by submitting that the petitioner is named in the First Information Report and Kamta Mushar being an eyewitness has stated the name of the petitioner also that he and others took away the deceased at the point of gun.

Considering the allegation attributed against the petitioner serious in nature, I am not inclined to enlarge the petitioner on bail. Accordingly, his such prayer of bail stands rejected.

(Jitendra Mohan Sharma, J.)

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