

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32524 of 2016

Arising Out of PS.Case No. -30 Year- 2016 Thana -SAHPUR District- BHOJPUR

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Kamlesh Tiwary Son of Shivyogi Tiwary resident of Village - Bariswan,
P.S.- Sahpur, District- Bhojpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Niraj Kumar Yadav

For the Opposite Party : Mr. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 22-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 302 and 201/34 of the Indian Penal Code.

There is allegation against unknown person for
committing murder of a lady by cutting her neck. One
Mangalsutra was also present in neck of the deceased.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 22.02.2016. The charge sheet has
been submitted in the present case. The petitioner has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. The petitioner is not
named in the First Information Report. There is no eyewitness to

the alleged occurrence nor there is any circumstantial evidence to suggest his implication in the present case.

On behalf of the state it has been submitted that the petitioner is not named in the F.I.R. but on the confessional statement of the petitioner, used weapon in the occurrence is said to have been recovered along with jewellery of the deceased from the jeweller.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in Sahpur P.S. Case No. 30 of 2016, pending in the court of learned Chief Judicial Magistrate, Bhojpur at Ara.

Anyhow, the trial court is directed to take all necessary steps to expedite the trial.

(Sudhir Singh, J.)

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