

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32877 of 2016

Arising Out of PS.Case No. -80 Year- 2016 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

=====

Sonu Sah @ Amit Kumar Sah @ Amit Sah, son of late Shivnandan Sah @
Dhebu Sah, resident of village-Surkhikal Mitra, P.S.-Barari, District-
Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 22-09-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under
Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

Allegation is that informant's brother was assaulted by
the accused persons. Thereafter, he was taken to hospital where
he was declared dead.

It has been submitted on behalf of the petitioner that he is
in custody since 29.3.2016. Chargesheet has been submitted
against the petitioner. No allegation of tampering of witnesses is
alleged against the petitioner. Petitioner is not named in the F.I.R.
There is no eye witness to the alleged occurrence nor there is any
circumstantial evidence to suggest implication of the petitioner in
the present case.

On behalf of the State, it is submitted that petitioner is
not named in the F.I.R. but wife of the deceased has been
examined in para-24 of the case diary where she has stated that
informant is the brother of the deceased and the relationship
between informant and the deceased was not good. She has
further stated that the deceased had disclosed the name of this

petitioner after getting injured in the occurrence. In para-60 of the case diary petitioner has accepted his guilt and made confession before the police stating that he had given Rs.1,50,000/- to co-accused Rohit Sah for committing murder of the deceased.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner, same is rejected.

The court below at Bhagalpur is directed to take necessary steps to expedite the trial in connection with Kotwali (Barari) P.S. case no. 80 of 2016.

(Sudhir Singh, J)

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