

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13127 of 2016

Arising Out of PS.Case No. -91 Year- 2015 Thana -ASAWAN District- SIWAN

- =====
1. Munsu Yadav Son of Late Ranglal Yadav
 2. Bullet Yadav Son of Munsu Yadav Both Resident of village - Arkpur, P.S. Asson, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Bihari Tiwary

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 11-05-2016 Heard the learned counsel for the petitioners as well as the learned A.P.P for the State.

The petitioners seek bail in a case for the offences punishable under sections 364, 302, 201 and 120 B/34 of the I.P.C

Allegedly, the petitioners and other co-accused came and co-accused Brahma Yadav lifted Anushanka Kumari, aged three years, the daughter of the informant and all went away and thereafter her dead body was recovered in a ditch near the canal.

Submission is of false implication and that there is no witness of actual killing, only on suspicion the petitioners have been implicated, there is no legal and tangible material against them and they are suffering in custody since 13.11.2015.

The learned A.P.P. opposes prayer for bail by submitting that two eye witnesses, namely, Jai Ram Sah and Raju Singh have stated the name of the petitioners also that they and other accused took away Anushanka Kumari and thereafter her dead body was recovered.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioners, serious in nature, I am not inclined to enlarge the petitioners on bail and accordingly their such prayer stands rejected in connection with Asaon P.S. Case No. 91 of 2015 pending in the court of C.J.M. Siwan.

However, considering detention of the petitioners, let the trial be expedited and concluded preferably within a period of nine months from the date of receipt/production of a copy of this order.

(Jitendra Mohan Sharma, J)

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