

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17853 of 2016

Arising Out of PS.Case No. -135 Year- 2015 Thana -ROHTAS District- SASARAM (ROHTAS)

1. Niranjan Pal Son of Sri Bhikhar Pal, Resident of village- Basdihan, P.S.-
Rohtas (Amjhore), District- Rohtas

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh

For the Opposite Party/s : Mr. Surendra Prasad Singh (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 25-10-2016

Heard learned counsel for the petitioner and the State.

The petitioner is in custody in connection with Rohtas (Amjhore) P.S.Case No. 135 of 2015 Sessions Trial No. 46 of 2016) registered under Sections 363 and 365 of the Indian Penal Code and subsequently Section 364(A) of the Indian Penal Code was added, pending in the Court of learned Additional Sessions Judge-II, Rohtas.

The prosecution case, in brief, is that the informant in a written report before the police dated 25.10.2015 has said that his grand son Navin Kumar @ Mantu son of Pravesh Singh on 23.10.2015 at 11 A.M. had proceeded to Tilauthi Bazar on his bicycle but has not returned back and despite best efforts he is traceless.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 09.11.2015. Charge sheet has

been submitted in this case. The petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the FIR. There is no eye witness to the alleged occurrence nor there any substantive evidence to suggest the implication of the petitioner in the present case. Other co-accused, Mithilesh Ram has been granted bail by a co-ordinate bench of this Court.

On behalf of the State, it is submitted that though the petitioner is not named in the FIR, two mobile sets are said to have been recovered from the possession of the petitioner and one of the mobile set was used for demanding of ransom from the informant as per C.D.R. report. So far bail of other co-accused is concerned, from perusal of the said order it is evident that all allegations have been put on this very petitioner. The victim, who was abducted, was killed by the accused persons.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant bail to the petitioner and same is rejected. The trial court is directed to take all steps to conclude the trial at the earliest.

(Sudhir Singh, J)

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