

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48844 of 2015

Arising Out of PS.Case No. -293 Year- 2014 Thana -GAYA KOTWALI District- GAYA

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1. Sanjay Singh @ Sanju @ Sanju Singh Son of Late Faudi Singh, resident of village -Manpur Pehani, P.S. - Buniyadganj, Distrit - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha

For the Opposite Party/s : Mr. C.Sen Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 08-04-2016 Heard the learned counsel for the petitioner, the learned A.P.P for the State as also the learned counsel for the Informant.

The petitioner seeks bail in a case for the offences punishable under sections 364, 302, 201 and 120 B of the I.P.C

Allegedly, the petitioner along with other co-accused kidnapped Md. Sazzad @ Jully and caused death.

Submission is of false implication only on suspicion, there is no legal and tangible material against the petitioner, there is no eye witness of the occurrence, only on the basis of the confessional statement made before the police the petitioner is suffering in custody since 01.06.2014, co-accused Md. Mehtab @ Md. Mahtab, who is also named in the First Information Report



and further Md. Golden have already been allowed pre-arrest bail by another coordinate Benches of this Court and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that besides other co-accused the petitioner has also confessed his guilt and on the basis of his confessional statement the dead body was recovered from the back side of house of the petitioner which was buried and the broken mobile of the deceased was also recovered. It is also submitted that the prayer for bail of other co-accused similarly situated, namely, Rajesh Prasad @ Rajesh Rawani and Md. Naushad Mian have already been rejected, the trial is going on and release of the petitioner will hamper the trial as the petitioner has got criminal antecedent and also he was involved in the murder case.

In the facts and circumstances as stated above, considering that on the basis of confessional statement of the petitioner the dead body of Md. Sazzad @ Jully and further broken mobile of the deceased were recovered and as such I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Sessions Trial No. 284 of 2014 arising out of Kotwali P.S. Case No. 293 of 2014 pending

in the court of the Additional Sessions Judge- 7th, Gaya.

However, let the trial be expedited and concluded in the light of the earlier direction.

(Jitendra Mohan Sharma, J)

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