

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50993 of 2015

Arising Out of PS.Case No. -104 Year- 2015 Thana -DELHA District- GAYA

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Chhotu Mahuri, son of Sri Manoj Prasad, resident of village-Ramshila, P.S.
Kotwali, District-Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 08-02-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Delha P.S.
Case No.104 of 2015 registered under Sections 302 and 201/34 of
the Indian Penal Code.

The accusation is that on 07.06.2015 in the night at
09.00 P.M., Mukesh, the son of the informant, Dinesh Rawani,
was accompanied by Sanjay Prasad, Md. Shamshad alias Chhedi
and this petitioner to attend the function but the son of the
informant did not return. On the next day, the informant received
information from his neighbour that the dead body of his son was
lying near Bageshwari Gumti.

Learned counsel appearing on behalf of the petitioner



submits that while the petitioner and two others have been named in the F.I.R. by the informant but there is no eye witness to the occurrence rather it has come in the written report of the informant that this petitioner, Sanjay Prasad and Md. Shamshad alias Chhedi accompanied the son of the informant to attend the function and on the next day, his dead body was recovered. The police, later on, got recorded the confessional statement of the petitioner, as detailed in paragraph-35 of the case diary as also the confessional statements of the two other accused, namely, Md. Shamshad alias Chhedi and Sanjay Prasad, as detailed in paragraphs-34 and 36 of the case diary respectively to the effect that Md. Shamshad alias Chhedi caused the death of the deceased by strangulation. The police also got recorded the confessional statement of Rupesh Kumar alias Lallu to the effect that the deceased was handed over to the petitioner and two others to commit his death. Further submission is that the petitioner having no criminal antecedent is in custody since 10.06.2015 only on the basis of suspicion.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri

Jigar Shah, Judicial Magistrate, First Class, Gaya, in connection
with Delha P.S. Case No.104 of 2015.

(Rajendra Kumar Mishra, J)

P.S./-

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