

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55794 of 2015

Arising Out of PS.Case No. -19 Year- 2013 Thana -SANOKHAR District- BHAGALPUR

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1. Sunil Sharma, Son of Late Naresh Prasad Sharma, a resident of Village Dhuabai, Police Station- Sanokhar, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Binod Kumar No. 3 (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 09-02-2016 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with Sanokhar P.S. Case No. 19 of 2013 registered for the offence punishable under Sections 302/34 of the Indian Penal Code.

The petitioner is not named in the FIR and his name transpires in the statement of Soni Kumari the daughter of the deceased in her statement recorded under Section 164 Cr.P.C. wherein she has stated that the petitioner and others assaulted her father with lathi and further poured oil from lantern and lit the fire causing the death of her father.

Submission is of false implication and that the statement of Soni Kumari has been recorded after one month from

the date of occurrence which appears to be tutored one and as such no reliance can be placed, co-accused Sunita Devi has been allowed pre-arrest bail by another co-ordinate Bench of this Court and the petitioner is suffering in custody since 31.08.2015 and further the father of the deceased has also not supported the prosecution version.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering that the daughter of the deceased who was an eye witness has stated the name of the petitioner regarding his involvement in killing of her father, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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