

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39098 of 2016

Arising Out of PS.Case No. -99 Year- 2016 Thana -SAHEBGANJ District- MUZAFFARPUR

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Chhabila Rai son of Rajdev Rai Resident of Village- Pakari Basarat P.S.-
Sahebganj, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Arun Kumar, Advocate.

For the Opposite Party/s : Mr. Asharaf Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 21-11-2016

Heard both sides

The petitioner seeks bail in Sahebganj P.S. Case No.
99/16 registered under Sections 364 and 302 of the Indian Penal
Code.

The grand-father of the deceased alleged that some
unknown persons kidnapped his grand-son and, during the course
of search, his slipper was found inside the school and his grand-
son was found unconscious in the lavatory of the school. He took
his grand-son to the doctor who declared him brought dead.

Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R. There is no evidence to show
that the petitioner kidnapped the grand-son of the informant but it
appears from perusal of Para 19 of the case diary that the
informant disclosed that his nephew Sunil Kumar disclosed that

Sudhhistha Rai and Chhabila Rai had come at his Darwaja, took photographs of the deceased and threatened him of dire consequences if this fact was disclosed to anybody else. Manoj Rai, in Para 21 of the case diary, also stated the same facts.

Considering the facts aforesaid and the fact that eight year old boy was kidnapped and strangulated to death, I am not inclined to enlarge the petitioner on bail in Sahebganj P.S. Case No. 99 of 2016. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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