

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43279 of 2016

Arising Out of PS.Case No. -14 Year- 16 Thana -PARBATTa District- BHAGALPUR

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1. Pankaj Mandal Son of Sri Nand Kishore Mandal Resident of Village-
Raghopur, P.S Parbatta, District Bhagalpur.
2. Bhouru Sahni, Son of late Dhanni Sahni Resident of Village- Dahattra,
P.S. Parbatta District Bhagalpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ranjan Kumar Jha, Advocate.

For the Opposite Party : Mr. Indra Kumar Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 13-12-2016 Heard both sides.

The petitioners seek bail in Parbatta P.S. Case No. 14 of 2016, registered for the offences punishable under Sections 363 and 365 of the Indian Penal Code but charge sheet is submitted under Sections 364 and 365 of the Indian Penal Code.

The informant alleged that on 24.02.2016 her neighbours Kare Lal Sahni, Lola Sahni, Kanak Lal Sahni, Sone Lal Sahni, Bhouru Sahni, petitioner no. 2 and Pankaj Mandal, petitioner no. 1 came to her house on four-wheeler and took her husband Gore Lal Sahni for fishing but her husband did not return. The informant suspected that the accused persons might have committed some offence with her husband.



Learned counsel for the petitioners submits that the occurrence took place on 24.02.2016 but the information was given to police on 27.02.2016. The petitioners are next door neighbour of the informant. They never went along with other accused persons to call the husband of the informant nor took the husband of the informant to anywhere for fishing. The vehicle in which the husband of the informant was taken has not been recovered. The charge sheet has already been submitted but it appears that the petitioners and four others took the deceased with them for fishing but on account of some altercation, as disclosed by Bhouru Sahni, petitioner no. 2, the husband of the informant was throttled to death and his dead body was thrown in the river Ganges. The witnesses have also stated the fact that the petitioners took Gore Lal Sahni with them on the pretext of fishing and Gore Lal Sahni is still traceless.

Considering the facts aforesaid, I am not inclined to enlarge the petitioners above named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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