

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27491 of 2016

Arising Out of PS.Case No. -1321 Year- 2015 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

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Amar Singh @ Amarjit Singh Son of Dhannu Singh, Resident of village -
Naikagaon, P.S. Sasaram, District - Sasaram

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi, Advocate
For the State : Mr. Umeshnand Pandit, APP
For the Informant : Mr. Babu Nandan Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 18-10-2016 Heard learned counsel for the Petitioner, the State and

the informant.

The Petitioner seeks bail in Sasaram (M) P.S. case
No.1321 of 2015 instituted for the offence under Sections 302,
201 and 120(B) of the Indian Penal Code, pending in the court of
learned Chief Judicial Magistrate, Sasaram.

The allegation is that the accused persons including the
petitioner after hatching conspiracy have committed the murder of
the brother of the informant and hanged the dead body from the
tree.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 02.04.2016 and the charge sheet has



been submitted in the present case. The petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is named in the F.I.R. merely on the basis of suspicion as the petitioner happened to be Sarhu of the deceased. There is no eye witness to the alleged occurrence except for the motive that the petitioner was entangled with the wife of the deceased and hence he is suspected to have committed the murder of the deceased. As per the C.D.R. report, it is pointed out that the last talk, which was made by the mobile of the deceased, was on 21.11.2015, but as per the petitioner it is submitted that from perusal of the entire C.D.R. report it would indicate that the said mobile phone was used on 22.11.2015 also.

On behalf of the State and the learned counsel for the informant, it is submitted that the petitioner is named in the F.I.R. and strong motive has been alleged against him for committing the murder of the deceased as the petitioner was involved in extra marital affair with the wife of the deceased, who happened to be his Salee. For the said reasons, he has committed this heinous crime. The P.O., where the dead body of the deceased was hanging from the tree, is closed to the house of the petitioner. The postmortem report indicates that after strangulation the dead body

was hanged in the tree. The other witnesses in paragraphs 47, 48, 49 and 90 of the case diary have stated regarding physical relationship of the petitioner with the wife of the deceased and the C.D.R. report also indicates that there was a talk going on between the wife of the deceased and the petitioner on the date of occurrence.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected. The Court below is directed to take all necessary steps to expedite the trial.

(Sudhir Singh, J)

Narendra/-

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