

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25245 of 2016

Arising Out of PS.Case No. -125 Year- 2015 Thana -MARANCHI District- PATNA

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1. Vikesh Singh son of Sri Ram Ratan Prasad Singh resident of Village-
Pachmahalla, Police Station- Marachi in the district of Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anita Kumari Singh

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 23-08-2016 Heard learned counsel for the petitioner and the State.

The petitioner is in custody in Marachi P.S.Case
No.125 of 2015 registered under Sections 364, 302 and 201/34
of the Indian Penal Code, pending in the court of Sri Dipak
Kumar, learned Judicial Magistrate,1st Class, Barh.

The prosecution story, in brief, is that the wife of Anil
Mahto lodged an FIR alleging that Nikal Singh, Buchali Singh @
Roushan,Sital Thakur, Pappu Singh and Vikki Singh @ Langda
came to her house and called her husband and with the help of
other accused persons served wine to her husband and later on
killed him and the dead body was thrown out on the railway track.
The further allegation is that on apprehension that her son could
know about the incident, the accused persons also killed him and

dad body was thrown out into the well.

It is submitted on behalf of the petitioner that the petitioner is in custody since 08.01.2016. Charge sheet has been submitted in this case. There is no allegation of tampering with the evidence against the petitioner. The petitioner has falsely been implicated in the present case, nor there is any circumstantial evidence to suggest the implication of the petitioner in the present case.

On behalf of the State and the informant it is submitted that the petitioner is named in the FIR. It is a case of double murder. The witnesses in paras 166 and 167 have stated that the dead body was carried towards railway line and other dead body was thrown in the well by the accused persons. The bail of other co-accused, namely, Pintu Tanti has been rejected by a coordinate bench of this Court vide order dated 03.05.2016 in Cr. Misc. No.18290 of 2016.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant bail to the petitioner and same is rejected. The trial court is directed to expedite the trial.

(Sudhir Singh, J)

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