

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8475 of 2016

Arising Out of PS.Case No. -75 Year- 2014 Thana -AJAMNAGAR District- KATIHAR

=====

Fudan Mahaldar, Son of Late Benku Mahaldar, Resident of village -
Mukaria, P.S.- Azam Nagar, District - Katihar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Md. Helal Ahmad, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 02-03-2016

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has renewed his prayer for bail in
connection with Azam Nagar (O.P.) Salmari) P.S. Case No. 75
of 2014 initially registered under section 364 of the Indian Penal
Code, but, subsequently, Sections 302 and 120-B read with 34 of
the Indian Penal Code have been added to the FIR.

The prayer for bail of the petitioner was earlier
rejected twice by this Court vide orders dated 17.10.2014 and
11.03.2015 passed in Cr. Misc. No. 35227 of 2014 and Cr. Misc.
No. 8064 of 2015 respectively.

It is contended by the learned counsel for the petitioner that the petitioner is languishing in custody since 06.05.2014 only on the basis of exculpatory confessional statement of the daughter of a co-accused Chichua Mahaldar.

On the other hand, learned counsel for the informant has submitted that it is a gross case of brutal murder of son of the informant who was strangled to death by the petitioner. It is further contended that in the present case all the witnesses, except the informant, have already been examined on behalf of the prosecution during trial.

Be that as it may, regard being had to the gravity of the offence and the nature of allegation made against the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, the application of bail is rejected.

(Ashwani Kumar Singh, J.)

Sanjeet/-

U		T	
---	--	---	--