

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9706 of 2017

Arising Out of PS.Case No. -211 Year- 2016 Thana -JALE District- DARBHANGA

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Md. Danish, Son of Md. Aslam, resident of Village- Sahpur Madhopur,
P.S.- Katra, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

4 08-04-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in connection with Jalley P.S. Case No.211 of 2016 registered under Section 364 and, later on, added Section 302 of the Indian Penal Code, pending in the court of the Additional Chief Judicial Magistrate-I, Darbhanga.

The accusation of the informant Husna Khatoon is that on 15.10.2016 at about 10.00 A.M., Md. Arman came to her house and asked her husband Md. Muntazir about purchasing a motorcycle at the cost of Rs.50,000/-. Thereafter, the husband of the informant alongwith Md. Arman with cash Rs.50,000/- went to village-Pupri but he did not return. In the night at about 10.00-



11.00 P.M., Md. Arman made call from the mobile of her husband to the another mobile of her house and informed that her husband has met with an accident and his leg and hand have got fractured and he is admitted in the hospital but he did not disclose the name of the hospital and switched off the mobile. The informant raised suspicion having the hands of one Syed and Md. Arman in committing an untoward incident with her husband.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is not named in the F.I.R. In course of investigation, the name of the petitioner has come in the confessional statement of Rakesh Kumar Singh. The petitioner having no criminal antecedent is in custody since 21.10.2016.

On the other hand, learned A.P.P. for the State opposed the prayer of the petitioner for grant of bail with the submission that, in course of investigation, the name of the petitioner surfaced in this case in the confessional statement of Rakesh Kumar, in which he has stated about going to the house of Md. Arman on the vehicle from where four persons came out and two persons boarded in the middle seat of the vehicle. At that time, the petitioner and Mintu Ram also boarded on the vehicle. Thereafter, he started to drive the vehicle. One person, who was boarded in the middle seat was left after causing his death near a well.



Thereafter, the dead body of the husband of the informant was recovered, which would appear from paragraph-32 of the case diary, and this petitioner has also hand in committing the murder of the husband of the informant.

Having regard to the facts and the circumstances of the case and the nature of allegation, I am not inclined to grant bail to the petitioner. Accordingly, the prayer of the petitioner for grant of bail stands rejected.

(Rajendra Kumar Mishra, J)

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