

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10759 of 2017

Arising Out of PS.Case No. -95 Year- 2016 Thana -MEERGANJ District- PURNIA

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1. MD. ISRAIL @ MD. ISRAIL MANSOORI @ ISRAIL MANSOORI
Son of Late Umu Mansoori, Resident of Village- Parasmani, Police Station-
Sarsi, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Rajpati

For the Opposite Party/s : Mr. Sri Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 25-04-2017 Heard the parties.

This application is for grant of regular bail in connection with Mirganj P.S.Cae No.95 of 2016 for the offences under Sections 302 and 201/34 of the Indian Penal Code.

The petitioner is not named in the F.I.R. and later on during the course of investigation, his name has transpired in this case.

It is submitted on behalf of the petitioner that he has been made accused only due to the fact that he along with other co-accused had taken the deceased along with them and later on his dead-body was found.

It is also submitted that the petitioner is 'Mukhiya' of the Local Panchayat and in the case diary, it has come that the deceased had dispute with co-accused Lambu Pandit @ Varun



Pandit due to illicit relation with one Sanjha Devi, as such whatever suspicion is there, this is against Lambu Pandit @ Varun Pandit and not against the petitioner and the petitioner is in custody for about five months.

Heard learned A.P.P. also, who has opposed the prayer for bail, stating that there is strong suspicion against him as the petitioner and the other co-accused persons had taken the accused along with them and later on his dead-body was found.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner at this stage, however, the petitioner may renew his prayer for bail after framing of the charge before the court concerned, which will be considered by the learned trial court without being prejudiced by the order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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