

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24132 of 2017

Arising Out of PS.Case No. -72 Year- 2016 Thana -LAUKARIA District-
WESTCHAMPARAN(BETTIAH)

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1. Rajesh Sahni Son of Sri Yantri Sahni, Resident of Village- Nitish
Nagar, P.S.- Laukaria, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhitabh Kumar, Advcoate

For the Opposite Party/s : Mr. Anil Kumar Singh 1, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 03-07-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody in connection
with Laukaria P.S. Case No. 72 of 2016 for the offences
punishable under Sections 323/324/427/461/302/34 of the Indian
Penal Code, pending in the Court of ACJM, Bagaha, West
Champaran.

The petitioner is alleged to have committed
murder of Gita Kumari, the daughter of the informant. The
occurrence was seen by another daughter Shikha Kumari, who
narrated the occurrence to the informant. Shikha Kumari has
supported the occurrence as eyewitness before the police. Soon
after the occurrence the petitioner was apprehended by the inmates



and the matter was informed to the people nearby. In the meantime, petitioner attempted to flee away and jumped on the asbestos roof and damaged it. However, he was apprehended by Birendra Sahni. Birendra Sahani supported the allegation of prosecution. The I.O. has found, during inspection of the P.O., injury on Birendra Sahani.

Submission of the learned counsel for the petitioner is that before the supervising authority the witnesses did not support the allegation rather the supervising authority of the view that this may be a case of honour killing as the petitioner was in love with the victim Gita Kumari.

It is well settled that supervising authority has no authority to collect evidence in the said capacity. Hence, considering the material on record, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is refused.

(Birendra Kumar, J)

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