

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5654 of 2017

Arising Out of PS.Case No. -186 Year- 2015 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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Sanni Kumar @ Sandeo Rai Son of Suresh Rai Resident of Village -
Kathan, P.S. - Muffasil, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ansul

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

5 19-04-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 302, 120 B and 34 of the I.P.C

Allegedly, Santosh Kumar, Bharat Rai and two
unknown came to the house of the informant and called his son
Golu and thereafter taken away him. In the night also Golu was
seen with them at about 10 P.M. and thereafter his dead body was
found. During investigation the name of the petitioner transpires in
the confessional statement of Santosh Kumar and Bharat Rai and
further two witnesses, namely, Rampravesh Singh and Binda
Singh stated the name of the petitioner that he, Santosh and Bharat
Rai were taking away Golu beneath the bridge and when the
witnesses stopped the motorcycle and ran the petitioner pointed



out pistol and caused threats.

Submission is of false implication and that there is no legal and tangible material against the petitioner, he has not been put on the test identification parade, and as such the petitioner, who is suffering in custody since 30.05.2016, deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail of the petitioner by submitting that besides confessional statement of two co-accused, two witnesses have also stated the name of the petitioner and they have seen the petitioner also in taking away the deceased.

In the facts and circumstances as stated above, considering the statement of Rampravesh Singh and Binda Singh, vide paragraphs- 63 and 64 of the case diary, I am not inclined to release the petitioner on bail and accordingly his such prayer stands rejected in connection with Muffasil P.S. Case No. 186 of 2015 pending in the court of C.J.M. East Champaran at Motihari.

(Jitendra Mohan Sharma, J)

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