

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4952 of 2017

Arising Out of PS.Case No. -246 Year- 2016 Thana -FORBESGANJ District- ARRARIA

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1. Ganesh Kumar Mehta @ Ganesh Kr. Mehta S/o Badri Mehta Village-
Sirsiya, P.S.- Forbisganj, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 07-04-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner is in custody since 29.05.2016 in connection
with Forbishganj P.S. Case No. 246 of 2016 registered under Sections
302, 201 and 379/34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the
petitioner, who is of clean antecedent, is innocent and has not
committed any offence. In fact, the entire F.I.R. has been lodged against
the unknown person and the name of this petitioner has been surfaced
on the ground of confessional statement of the co-accused, Ajay Mehta.
Except the confessional statement, nothing is against the petitioner.
Nothing incriminating has been recovered from the possession of the
petitioner and the petitioner is in custody for the last ten months.

Learned A.P.P. has opposed the prayer for bail and



submitted that the petitioner was actively involved in the alleged occurrence and he was last seen with the deceased also. One of the witness, namely, Subodh Sah and co-accused, Ajay Mehta, who has confessed his guilt has supported the implication of the petitioner in the alleged occurrence.

Considering the nature of accusation, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for regular bail of this petitioner is, hereby, rejected. However, the petitioner is at liberty to renew his prayer for bail after framing of charge.

(Arvind Srivastava, J)

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