

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7381 of 2017

Arising Out of PS.Case No. -321 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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Surendra Sahani, son of Ramanad Sahani @ Ram Chandra Sahani, Resident
of Village – Khoda Mansingha, P.S. Sugauli, District- West Champarna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni, Advocate

For the informant : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Md. Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 27-04-2017 Heard learned counsel for the petitioner, learned
counsel for the informant and learned counsel representing the
State.

The petitioner seeks bail in connection with
Turkaulia P.S Case No. 321 of 2016 registered for the offences
punishable under Section 364/34, 302/201/120(B) of the Indian
Penal Code.

Allegedly, Prince Kumar aged about 4 years, the son
of the informant was kidnapped and killed and his dead body was
thrown in the river.

Submission is of false implication and that besides
confessional statement there is no other legal material against the
petitioner, no one has seen the petitioner kidnapping the boy or



killing him, the name of the petitioner has come in the confessional statement of Narerssh Sahani and thereafter the confessional statement of the petitioner was also got recorded forcibly and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that on the basis of confessional statement of co-accused and the petitioner the dead body was recovered and further one spade was recovered which was used in the crime.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Turkaulia P.S. Case No. 321 of 2016, pending in the court of learned Chief Judicial Magistrate, East Champaran, Motihari.

(Jitendra Mohan Sharma, J.)

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