

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12121 of 2017

Arising Out of PS.Case No. -90 Year- 2016 Thana -SIKANDARA District- JAMUI

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Kailash Ray Son of Samundar Ray, Resident of Village- Dhawatanr, P.O.-
Mathurapur, P.S. Sikandra, District- Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ambika Bhagat, Advocate.

For the Opposite Party : Mr. S. Ehteshamuddin, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 08-04-2017 Heard both sides.

The petitioner seeks bail in Sikandara P.S. Case No. 90 of 2016, corresponding to Sessions Trial No. 255 of 2016, registered for the offences punishable under Sections 364 and 34 of the Indian Penal Code. Later on Sections 302 and 201 of the Indian Penal Code were added.

The informant alleged that her husband went to purchase diesel but did not return. The informant suspected that unknown persons kidnapped her husband. During course of investigation one Triloki Kora was apprehended along with Ganguli Kora who are said to have confessed their guilt and their confessional statements were recorded in paragraph 47 and 48 of the case diary.

Learned counsel for the petitioner submits that the name of the petitioner figured in the confession of Triloki Kora and Ganguli



Kora on the basis of which the dead body of the deceased Dinesh Mahto was recovered, but the petitioner did not confess his guilt before recovery of the dead body. The confessional statement of the petitioner was recorded later on. It is further submitted that Ganguli Kora disclosed that the deceased used to torture ladies of his village that is why he was killed. Save and except the fact that the name of the petitioner figured in the confession of Triloki Kora and Ganguli Kora, there is no other material to show the involvement of the petitioner.

Learned APP did not dispute the facts.

Considering the facts aforesaid and the fact that, of course, the name of the petitioner figured in the confession of Triloki Kora and Ganguli Kora in pursuance of which the dead body of the deceased was recovered and save and except this fact there is no other material to show the involvement of the petitioner, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II, Jamui in Sikandara P.S. Case No. 90 of 2016, corresponding to Sessions Trial No. 255 of 2016.

(Prabhat Kumar Jha, J.)

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