

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6933 of 2017

Arising Out of PS.Case No. -52 Year- 2015 Thana -NAUGACHIA District- BHAGALPUR

- =====
1. Santosh Kumar @ Santosh Mahto, Son of Kameshwar Mahto.
 2. Gopal Kumar @ Gopal Mahto, Son of Kameshwar Mahto, Both are resident of Village- Tekuna Math, P.S.- Rosra, Dist.- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Singh
For the Opposite Party/s : Mr. Pramod Kumar Pandey
For the Informant : Mr. Pramod Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-02-2017 The petitioners are in custody since 03.12.2016 in connection with Naugachia P.S. Case No. 52 of 2015, registered for offences punishable under Section 302/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners the petitioners are not named in the F.I.R. subsequently their names surfaced in this case only on the basis of suspicion and they have been in judicial custody since 03.12.2016.

Heard learned A.P.P. and learned counsel for the informant, they have opposed the prayer for bail.

Having heard both sides, in view of the fact that there is direct allegation against these petitioners that they had taken



money from the deceased to provide him employment in Government department, however, they could not do so and when the deceased started demanding money, they abducted him and alleged to have killed him, as such, I am not inclined to grant the petitioners the privilege of regular bail, it is accordingly, rejected.

However, the petitioners may renew their prayer for bail before the court below itself after submission of charge-sheet in this case and if any such application is filed, the same will be considered by the court below on the merit of the case and on the materials available on the record, without being prejudiced by the order of this Court.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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