

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21652 of 2017

Arising Out of PS.Case No. -235 Year- 2016 Thana -LAKHISARAI District- LAKHISARAI

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1. Randhir Singh Son of Late Kishori Singh, Resident of Village- Lodia,
P.S.+ District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 28-06-2017 Heard learned counsel for the petitioner, learned Addl.

P.P. for the State as also learned counsel appearing for the

informant.

The petitioner seeks bail in Lakhisarai P.S. Case No.
235 of 2016 registered under Sections-302, 201/120(B) of the
Indian Penal Code.

As per written report, submitted by the brother of the
deceased, the co-villager Binod Singh, Bipin Singh, Shankar
Singh and Babloo Singh called his younger brother Shashi
Shekhar Bipul (since deceased) on the pretext of some work
saying that he will return in ten minutes. Thereafter, his brother
went with them. It is further alleged that after some distance, the
informant saw that Randhir singh (petitioner), Rajesh Singh,



Chandan Kumar and Kunal Kumar along with four unknown persons also associated themselves with the aforesaid four persons and went towards north of the village. The younger brother of the informant did not return and thereafter, the informant inquired from the accused persons but he did not give satisfactory answer. The informant suspected that his brother has either been kidnapped or has been done to death. It is further alleged that on the next date at 6.30 p.m. the informant heard in the village that one dead body is lying at a distance of one kilometer of the village. The informant identified the dead body as of his brother. It is alleged that one year prior to occurrence, some altercation had taken place between the deceased (brother of the informant) and the accused.

Counsel for the petitioner has submitted that name of the petitioner has been disclosed after one month of lodging of the FIR in the statement of witnesses, namely, Sitaram and Mukesh Sharma recorded under Section-164 Cr.P.C. in paragraphs-114 and 115 of the C.D. Counsel for the petitioner further submits that his name has not been mentioned by the informant along with first four persons who is said to have taken the deceased (brother of the informant) with them.

The counsel for petitioner has submitted that one of the



accused Babloo Singh has been granted bail by a coordinate bench of this court vide order dated 28-11-2016 passed in Cr. Misc. No. 43787 of 2016. It has further been submitted that co-accused Kunal Kumar and Chandan Kumar have also been granted bail by a coordinate bench of this court vide order dated 19-04-2017 passed in Cr. Misc. No. 16718 of 2017.

Counsel for the informant and learned Add. P.P. have submitted that this petitioner has been named in the written report to have associated with the other four accused persons who are alleged to have taken the brother of the informant (since deceased) with them. The dead body was later on found in the village. It has further been submitted that prayer for bail of two co-accused persons namely Shankar Singh and Bipin Singh whose names have been disclosed by witnesses namely, Sitaram and Mukesh Sharma, recorded u/S 164 of the Cr.P.C. in paragraphs-114 and 115 of the C.D. have already been refused bail by a coordinate bench of this court vide orders dated 14-12-2016 & 08-03-2017 passed in Cr. Misc. Nos. 43349 of 2016 and 3194 of 2017.

After hearing both the parties and looking into the statement of two witnesses namely, Sitaram and Mukesh Sharma, recorded u/S 164 of the Cr.P.C. in paragraphs-114 and 115 of the C.D. and also, orders dated 14-12-2016 & 08-03-2017 passed in



Cr. Misc. Nos. 43349 of 2016 and 3194 of 2017 by coordinate bench of this court, prayer for bail of the petitioner stands rejected.

The petitioner is given liberty to renew the prayer for bail after six months, if no substantive progress is made in the trial in the court below.

(Sanjay Priya, J)

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