

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30772 of 2017

Arising Out of PS.Case No. -213 Year- 2016 Thana -SULTANGANJ District- BHAGALPUR

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1. Sahdeo Thatheri @ Sahdeo Tripathi, Son of Kanhaiya Thatheri alias Sah alias Dalo Sah alias Kanhay Sah, resident of Village- Pildouri, Sultanganj, P.S. Sultanganj, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal

For the Opposite Party/s : Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-07-2017

Heard the parties.

This application is for grant of regular bail in connection with Sultanganj P.S.Case No.213 of 2016, G.R.No.3847 of 2016, for the offences punishable under Section 302 of the Indian Penal Code 27 of the Arms Act.

The petitioner is not named in the F.I.R. and statement of the co-accused has been recorded by the police under Section 164 Cr.P.C. and he has named this petitioner as the main accused of causing injury on the head by 'rod' and the postmortem report also shows that the death is due to that injury.

Submission of the learned counsel for the petitioner is that the co-accused has himself filed a petition before the court of C.J.M. that police after applying third-degree has got statement



recorded by the Magistrate and secondly, it is submitted that the mother of the informant had also suspected about the other co-accused persons and not the petitioner. The petitioner is in custody since 23.3.2017.

Heard learned A.P.P. also, who has opposed the prayer for bail .

Having heard both sides and in view of the facts and circumstances, as stated above, as he has been named as main accused in the statement of the co-accused under Section 164 Cr.P.C., as such I am not inclined to grant bail to the petitioner and his prayer for bail is rejected.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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