

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37804 of 2017

Arising Out of PS.Case No. -207 Year- 2017 Thana -ARARIA District- ARRARIA

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Tanvir, Son of Zakir @ Md. Zakir, Resident of Village- Sisouna Gaiyari,
Police Station- Araria, District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda

For the Opposite Party/s : Mr. Sri Anant Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

4 07-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in custody since 02.04.2017
in connection with Araria P.S. Case No. 207 of 2017 for
offences punishable under Sections 302/201/34 of the Indian
Penal Code.

The prosecution case, as lodged by the informant, is
that his cousin brother Sriman (deceased) was constructing a
house and had employed the petitioner as a Raj Mistri. The



wall of the house was defectively erected by the petitioner and other labourers for which there was certain verbal fight between them. Thereafter the petitioner along with other co-accused called him to purchase bricks and it is alleged that thereafter they killed him and the body was found in the Jungle.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and no one has seen the occurrence and it is only on the basis of his confessional statement before the police, he has been made accused. It is further submitted that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner along with two others have broken the neck of the deceased which resulted in his death. It was a cold blooded murder.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Araria P.S. Case No.207 of 2017, pending in the court of learned Chief



Judicial Magistrate, Araria.

The application is, accordingly, rejected.

(Nilu Agrawal, J)

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