

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34238 of 2017

Arising Out of PS.Case No. -37 Year- 2017 Thana -MOTIPUR District- MUZAFFARPUR

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Rajeshwar Singh S/o Late Harihar Singh Resident of Village Mahrani, P.S.
- Pipra, Dist - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 06-10-2017 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is languishing in judicial custody since
13.02.2017 in connection with Motipur P.S. Case No. 37
of 2017 for offences punishable under Sections 302,
201/34 of the Indian Penal Code.

The prosecution case, as lodged by the
informant who is Chowkidar, is that he received
information that a dead body has been packed in a sack
and thrown under Ratanpur bridge. On opening of sack, a
dead body of eight years old girl child has been found and
she had been killed by strangulation.



It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the F.I.R. and it is only on the basis of suspicion that he has been made accused. He submits that during investigation his name surfaced that the wife of his cousin nephew Rajiv Kumar Singh and the two children including the girl child which was found in the sack was murdered but he is not involved in the alleged murder and he is the cousin uncle of said Rajiv Kumar Singh. He submits 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 said Rajiv Kumar Singh has confessed his guilt of murdering his wife and two children along with the petitioner and the petitioner in his confessional statement has also supported the said statement.

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 Motipur P.S. Case No. 37 of 2017 pending in the



court of learned Sub Divisional Judicial Magistrate,
Muzaffarpur.

The application is, accordingly, rejected.

(Nilu Agrawal, J)

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