

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.8547 of 2017**

Arising Out of PS.Case No. -153 Year- 2016 Thana -TARIYANI CHOWK District- SHEOHAR

=====

Kailash Sahni & Anr

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      28-03-2017              The petitioners are in custody since 02.12.2016 in connection with Tariyani P.S. Case No. 153 of 2016, registered for offences punishable under Sections 302/201 and 34 Indian Penal Code.

It has been submitted on behalf of the petitioners so far petitioner no. 1, there is nothing against him save and except the confessional statement of petitioner no. 2 and so far petitioner no. 2 is concerned, it has been submitted that only on the basis of fact that the deceased boy was seen with a woman wearing '*chekdar sari*' and the petitioner no. 2 on the date of occurrence was wearing the same kind of sari, has been implicated in this case on the basis of suspicion. Petitioners are languishing in judicial custody since 02.12.2016.

Learned counsel for the State has submitted that the



involvement of these petitioners cannot be overlooked in the said offence as on the petitioners' confession itself, one blood stained jeans was recovered from their house and it has also come in the case diary that the boy was taken away by the women wearing yellow chekdar sari, which matched the dress worn by the petitioner no. 2. as such they do not deserve the privilege of bail.

Having heard both sides, considering the facts and circumstances of the case and also the allegation, I am not inclined to grant the petitioners the privilege of regular bail, it is accordingly rejected.

However, the trial court is directed to expedite the trial and try to conclude it as soon as possible.

**(Vinod Kumar Sinha, J)**

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