

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55052 of 2018

Arising Out of PS.Case No. -225 Year- 2016 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Surendra Kumar @ Gore Lal @ Sulendra Kumar @ Sulendra Son of Late Ram Bahadur Mahto, Resident of Village - Khanzapur, Police Station - Cheria Bariyarpur, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi

For the Opposite Party/s : Mr. Smt. Pronati Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 26-09-2018

Heard both sides.

The petitioner seeks bail in S.T. No.31 of 2017, arising out of Bibhutipur P.S. Case No.225 of 2016 registered under Sections 363, 364A of the Indian Penal Code. Later on Section 302 of the Indian Penal Code was also added.

Learned counsel for the petitioner submits that the prayer for bail of the petitioner was earlier rejected vide order dated 20.06.2017 passed in Cr. Misc. No.14894 of 2017 but the trial has not yet been concluded. The petitioner is not named in the F.I.R. On the basis of confessional statement of Mantosh Kumar, the name of the petitioner surfaced in this case and a mobile was recovered from the possession of the petitioner but it appears that



during course of investigation, it transpired that the SIM No.8151957018 was issued in the name of Ram Pratap Mahto. Ram Pratap Mahto died and Mantosh Kumar, son of Ram Pratap Mahto was using that SIM. Mantosh Kumar disclosed that he gave SIM to the petitioner. It transpires that the petitioner inserted the aforesaid SIM in his mobile and made call to the father of the victim and demanded ransom and later on the dead body of the victim was recovered. On such confession, the petitioner was arrested and from his possession, the mobile from which ransom was demanded was recovered.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is once again rejected.

The Trial Court is directed to hold the trial on day to day basis and conclude the same preferably within one year from the date of receipt of this order.

The Superintendent of Police, Samastipur is also directed to ensure the attendance of the prosecution witnesses in the trial court in connection with S.T. No.31 of 2017, arising out of Bibhutipur P.S. Case No.225 of 2016, so that the trial must be concluded within one year.

Let a copy of this order be sent to the Trial court as



well as Superintendent of Police, Samastipur for information and
needful.

(Prabhat Kumar Jha, J)

Amit/-

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