

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30703 of 2018

Arising Out of PS.Case No. -24 Year- 2017 Thana -BHARGAWAN District- ARRARIA

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Lalit Kumar @ Lalo @ Lalo Das S/o Vidyanand Das, R/o Vill.- Kusmoul ,
P.S.- Bhargama, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 05-07-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bhargama P.S. Case No.24 of 2017 registered for the offences
punishable under Sections 302 and 201/34 of the Indian Penal
Code.

The informant is father of the deceased. It is alleged
that on 09.02.2017 this petitioner along with three others came at
the house of informant and took away his son. The son of
informant did not come back to his house even at late night. On
the next day, the informant searched his son and found him dead
in the house of co-accused Mukesh Kumar.

It has been submitted that neither there is any eye
witness to the occurrence nor any incriminating material has been



recovered from his possession except that he was lastly seen with the deceased along with other accused. The petitioner is in custody since 23.08.2017 having clean antecedent and so he deserves bail.

The learned A.P.P. for the State opposed the submission.

From perusal of F.I.R., it appears that this petitioner and three others took the son of informant from his house in presence of his family members. This fact finds support from the statements of witnesses recorded in paragraphs 13, 14, and 15 of case-diary. This petitioner is a friend of co-accused Mukesh Kumar. It is alleged that the deceased had love affairs with the sister of co-accused Mukesh Kumar and from his possession a mobile phone of the deceased was recovered as per seizure list prepared in presence of witnesses. The doctor has reported about cause of death due to asphyxia. This petitioner was last seen person with the deceased and other co-accused.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. The prayer of bail is, accordingly, rejected.

(Sanjay Kumar, J)

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