

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63397 of 2017

Arising Out of PS.Case No. -102 Year- 2017 Thana -GOPALPUR District- GOPALGANJ

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Sanjay Pandey S/o Late Kanhaiya Pandey, R/o Village- Rajapur (Bhagat Tola), P.S.- Gopalpur, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

For the Opposite Party/s : Mr. Sri Ram Naresh Ray

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 12-02-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 25.08.2017 in connection with Gopalpur P.S. Case No. 102 of 2017 for offences punishable under Sections 302/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that his cousin brother Sachindra Rai was not found in the house and on search his dead body was recovered in a Chawar of one Tola. The petitioner confessed his guilt in front of the villagers and as such the petitioner was taken into custody.

It has been submitted by the learned counsel for the



petitioner that he is innocent, there is no eye witness to the alleged occurrence and has been falsely implicated because of dispute between the deceased and the petitioner wife. He submits that the petitioner has no criminal antecedent and that charge-sheet has been submitted.

However, learned APP for the State opposes the prayer for bail stating therein that independent witnesses have also supported the prosecution case and the petitioner has confessed his guilt of involvement of two other persons in the alleged occurrence.

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 Gopalpur P.S. Case No. 102 of 2017 pending in the court of learned Additional Chief Judicial Magistrate, XIth Gopalganj.

The application is, accordingly, rejected.

(Nilu Agrawal, J)

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