

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59017 of 2017

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

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1. Arun Kumar S/o Dinesh Das
2. Abhinandan Kumar S/o Biren Das @ Bavaran Das Village- Kushmoul,
P.S. Bhargama, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 07-02-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek bail in Bhargawan P.S. Case No. 24 of
2017 registered for the offence punishable under Sections-302, 201/34
of the Indian Penal Code.

According to FIR, the petitioners and others came to the
house of informant and took his son Suman Kumar along with them.
Thereafter, dead body of Suman Kumar was recovered from the house
of Mukesh Kumar, who had also accompanied the petitioners at the
time of taking away the deceased.

The postmortem report would reveal that the doctor found
bruise on the neck of the deceased and a case of asphyxias death.

Submission of learned counsel for the petitioners is that only
material is last seen as a circumstance. The petitioners are in custody



since 09-08-2017 & 23-08-2017 respectively.

Considering the fact that there is no material to substantiate any motive for false implication as well as considering the recovery of dead body from the house of one of the co-accused who was along with the petitioners, I am not inclined to enlarge the petitioners on bail. Hence, prayer for bail is refused.

The learned trial court is directed to expedite the trial and conclude the same, preferably, within six months, failing which, the petitioners would be at liberty to renew the prayer for bail before the court below itself who shall pass a reasoned order.

(Birendra Kumar, J)

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