

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21171 of 2018

Arising Out of PS.Case No. -89 Year- 2017 Thana -BATH District- BHAGALPUR

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1. Sanjeev Kumar Das, son of Sunil Das, Resident of Village- Kumaitha,
P.S. Bath, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Braj Kishore Prasad

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 09-05-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has been in custody since 08.08.2017
in connection with Bath P.S. Case No. 89/2017 registered for the
offences punishable under Section 302 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
name of the petitioner has surfaced only because his mobile phone
was located from the place of occurrence where the deceased had
been attacked. It is further submitted that actually mobile phone
had been purchased by the mother of the informant (deceased) and
there was some dispute regarding sale of the same. It is submitted
that because the said mobile phone was not functioning and the
deceased was demanding her money back, therefore, the name of
the petitioner has been brought in connection with the present



case.

Diary in the present case was called for which has since been received.

Learned counsel appearing on behalf of the State after perusal of the case dairy submits that there is ample material in the case diary to implicate the petitioner. It is submitted that the mobile phone was found fallen on the floor where the mother of the informant had been attacked and, thereafter, on enquiry, it was discovered that the said mobile phone belongs to the petitioner.

In view of the fact that there being sufficient material in the case diary, I am not inclined to grant regular bail to this petitioner.

It is, accordingly, rejected.

The petitioner shall, however, renew his prayer for bail after framing of charge.

(Anjana Mishra, J)

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