

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16631 of 2019

Arising Out of PS. Case No.-105 Year-2018 Thana- AMBA District- Aurangabad

Sakesh Bhuiyan Son of Mahendra Bhuiyan, Resident of Village- Kasaina
(Ishakhar0, P.S.- Dhibra, District- Aurangabad (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar

For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 24-07-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 302, 120(B), 201 of the Indian Penal Code.

The prosecution case, in brief, is that a dead body was
found lying. The dead body was detected to be of one Raj
Kumar Bhuiyan.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner is in custody since 16-11-2018. Charge sheet has
already been submitted. There is no eye witness to the alleged
occurrence nor there is any substantive evidence to suggest the
implication of the petitioner in the present case.



On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. On the basis of confessional statement of the petitioner, the weapon used in the occurrence is said to have been recovered from house of the co-accused namely, Sumitra Devi, who happens to be wife of the deceased. The postmortem report also corroborates the statement made by the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Amba P.S. Case No. 105 of 2018 is rejected.

The trial court is directed to expedite the trial and conclude the same, preferably within a period of nine months from the date of receipt/production of copy of this order.

(Sudhir Singh, J)

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