

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47859 of 2019

Arising Out of PS. Case No.-62 Year-2019 Thana- SAKRI District- Madhubani

1. Om Sah Son of Sidheshwar Sah @ Sidheshekhar sah Resident of Village- Sakri Purani Bazar, P.S.- Sakri, District- Madhubani
2. Md. Gulrej Son of Md. Safik Resident of Village- Vikrampur Baliya, P.S.- Sakri, District- Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Sakri P.S. case No.62 of 2019 registered under Sections 365/34, 302 of the Indian Penal Code, pending in the court of C.J.M., Madhubani.

Allegation is that the accused persons including the petitioners committed murder of the son of the informant.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 25.04.2019 and have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The names of the petitioners have transpired in this case merely on the basis of



suspicion. There is no other substantive evidence to suggest the implication of the petitioners in the present case nor there is any eye witness to the alleged occurrence.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R. In course of investigation, the petitioner No.2 was apprehended and his confession was recorded, where he has admitted that the deceased was done to death by him along with petitioner No.1. The car used in the occurrence is said to have been recovered on the confession of petitioner No.2. Said car belongs to petitioner No.1. The confession has led to recovery of car used in the occurrence. The postmortem report also supports the confession made by petitioner No.2.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioners. The same is rejected.

The court below is directed to take all necessary steps to expedite the trial.

(Sudhir Singh, J)

Narendra/-

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