

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5835 of 2023

Arising Out of PS. Case No.-815 Year-2022 Thana- SUPAUL District- Supaul

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LADDU LAL SAH Son of Late Sri Mithu Lal Sah @ Mithu Sah R/v- Pipra,
Khurd, Ward No. 05, P.S.- Supaul, District- Supaul, Pincode- 852131, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prabhakar Nath Rai

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 03-08-2023 Heard learned counsel for the petitioner, informant and

learned APP for the State.

2. The petitioner has prayed for bail in a case instituted
for the offence under Sections 302, 379/34 of the Indian Penal
Code.

3. As per prosecution case, the informant runs a tea
shop and his father has e-Rickshaw, which he used to ride whole
day and keep at his shop. When the informant went to deliver food
to his parents then he found that shops were closed. Thereafter,
the informant calling out his parents but when he did not get any
response, he lifted the Tathat and entered inside the premises and



saw his parent's body were in pool of blood. The co-accused Pramod Kamat given an amount of Rs. 30,000 as loan to the informant father and he demanding Rs. 6,000/- of interest money from his father and when his father declined to do so, co-accused Pramod Kamat started abusing and threatened to kill him. It is further alleged that the petitioner along with others killed the mother and father of the informant.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. There is no eye-witness and no consistent evidence of the alleged occurrence. It is a case of last seen. On the basis of self confessional statement and other co-accused persons, implicated in this case. Petitioner is languishing in judicial custody since 25.08.2022.

5. Learned APP for the State and learned counsel for the informant have opposed the application for bail and submitted that it is a case of doubled murder. Petitioner is named in the FIR and strong suspicion has been raised against him. During investigation, this petitioner along with co-accused Santosh Mandal confessed about the guilt and narrated the whole story that how they committed murder of both the deceased, which is mentioned in para-42 of the case diary. The witnesses in para 50, 51 and 52 of the case diary have stated that the petitioner along



with co-accused Santosh Mandal were seen at the Chowk beside the place of occurrence. It is further submitted that at the instance of petitioner and co-accused Santosh Mandal *khanti* and *patta* recovered. The petitioner also stated about his complicity in this occurrence and supported the confessional statement made by co-accused Santosh Mandal. During investigation several witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

7. The trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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