

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49986 of 2023

Arising Out of PS. Case No.-200 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

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UMESH TIWARI Son of Sri Baijnath Tiwari Resident of village - Devokali,
P.s. - Kudra, P.O. - Derwan, Distt. - Kaimur at Bhabhua, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 05-12-2023 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

The petitioner has prayed for bail in connection with Mohania P.S. Case No. 200 of 2023 instituted for the offence under Sections 365 and 366 of the Indian Penal Code and later on charge sheet has been submitted under Section 302, 328, 201 and 34 of the I.P.C.

It is a case of abduction of the informant's daughter by the petitioner.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has been falsely implicated in this present case only on the basis of suspicion due to dirty village politics. As per F.I.R., only suspicion has been raised by the informant against the petitioner that he enticed away his daughter.



No one is the eye witness of the alleged occurrence. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 21.03.2023.

Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that petitioner is named in the F.I.R. and suspicion has also been raised by the informant against the petitioner. The petitioner was arrested and confessed about his guilt during investigation in para 54 of the case diary. During investigation, in para 91 and 92 of the case diary the witnesses have stated about the complicity of the petitioner. The F.S.L. report of the deceased also corroborates the prosecution case. As per F.S.L. report, some poisonous material detected in the body of the deceased.

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.

The trial court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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