

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
B. A. No.9507 of 2014**

1. Md. Rajjak.
2. Md. Kurban. Petitioners.
-Versus-
The State of Jharkhand. Opposite Party.

CORAM : HON'BLE MR. JUSTICE D. N. UPADHYAY

For the Petitioners : Mr. K. P. Deo , Advocate
For the State : A.P.P.
For the Informant : Mr. S. P. Roy, Advocate

03/27.02.2015: Heard learned counsel for the parties.

The petitioners are accused in a case registered under Sections 302, 201 and 34 of the Indian Penal Code.

It reveals from the first information report that Noori Khatoon, a girl, aged about seven years, was found missing from 5th April, 2014. On 8th April, 2014, dead body of Noori Khatoon was recovered from a paddy field. The informant has raised allegation against the petitioners and other accused persons because they were having land dispute and they had also hurled threat prior to the date of incident.

It is submitted that no eye-witness has come forward to say that he had seen the deceased playing in front of the house of the petitioners and she was taken by them inside the house on the date of incident. After recovery of the dead body, some of the witnesses, who are relatives of the deceased, have stated that they had seen the deceased girl going in the house of the accused persons and they also followed the deceased. Announcement from the mosque with regard to missing of a girl was done, but the informant or any witness did not inform the police.

Counsel for the State as well as informant have opposed the petitioners' prayer for bail and drawn attention of this Court towards Paragraphs 9, 10, 12, 13 and 89 of the case diary.

It is true that there is delay of three days in lodging the first information report but the witnesses have seen the deceased playing in front of the house of the petitioners and she was seen going inside the house, followed by the accused persons.

Thereafter, the girl was not seen alive. Announcement with

-2-

regard to missing of a girl was also made from the mosque. The informant and other witnesses had gone to the house of accused persons, but they did not allow them to enter into the house and they said that nobody is here. After the incident the accused persons had been absconding from the village.

Considering all these aspects of the matter, I do not feel inclined to release the petitioners, above named, on bail in connection with Basantrai P.S. Case No.31 of 2014, corresponding to G.R. No.454 of 2014.

Accordingly, petitioners' prayer for bail stands rejected.

(D. N. Upadhyay, J.)

Sanjay/