

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47928 of 2018

Arising Out of PS.Case No. -99 Year- 2018 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

=====
Manoj Ram, S/o Late Chirkut Ram, Resident of Village- Todhi (Tori),
P.S.- Bhawanpur, District- Kaimur.

.... Petitioner/s
Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Pandey
For the Opposite Party/s : Mr. Ram Bilash Roy Raman

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

3 28-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with
Durgawati P.S. Case No. 99 of 2018 registered under Sections
363/365 of the Indian Penal Code but subsequently the offences
under Sections 364A and 302/34 of the Indian Penal Code have
been added.

Petitioner along with other accused namely, Irfan
Ansari is said to have kidnapped the minor son of the informant
and subsequently committed his murder.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. The petitioner



has no concern with the aforesaid occurrence and has been falsely implicated in this case. There is no eye witness of the occurrence and none has seen the petitioner along with Irfan Ansari. Petitioner has been languishing in custody since 18.03.2018.

On the other hand, learned APP for the State and learned counsel for the informant vehemently opposing the bail petition submitted that witness in Para-6 of the case diary has stated about witnessing Irfan Ansari with the deceased on the date of occurrence. Both Irfan Ansari and the petitioner were apprehended and on the basis of the confessional statement of the petitioner dead body of the deceased was recovered. Printout of the CDR of the mobile phones of both the accused were taken out during the investigation which indicates that both the accused persons had interacted with each other 45 times in 15 days of date of occurrence. It is further submitted that out of the charge-sheet witnesses, three of them have already been examined by the prosecution and only one private witness, doctor and I.O. are left to be examined. Hence, the petitioner does not deserve bail.

In the facts and circumstances, the prayer for bail of the petitioner is hereby rejected.

However, the learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within a



period of six months from the date of receipt/production of a copy of this order and the Superintendent of Police Kaimur at Bhabua is directed to ensure production of the witnesses in the case on each and every date fixed without fail.

Let a copy of this order be communicated to the Superintendent of Police Kaimur at Bhabua by fax for needful.

(Prakash Chandra Jaiswal, J)

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