

Court of Addl. Sessions Judge-II, Begusarai
B.A. No. 1772 of 2022
Arising out of Khodawandpur P.S. Case No. 28/2022
Biro Sahni Vs. State of Bihar

28.11.2022

Heard the learned counsel for the petitioner namely Biro Sahni and also heard learned Addl. P.P. for the State on the bail petition dated 10.10.2022 in connection with Khodawandpur P.S. Case No. 28/2022 u/s-302/201/120(B)/34 IPC pending in the court of learned S.D.J.M, Manjhaul, Begusarai.

The learned counsel on behalf of the petitioner has submitted that the petitioner is innocent and committed no offence. The petitioner has no concern with the Janardan Sahni. There is no iota of evidence against the petitioner. The statement of Janardan Sahi is inculpatory but not binding upon this petitioner. The petitioner is in judicial custody since 22.09.22. So considering these facts the petitioner may be enlarged on bail.

On the other hand, the learned APP for State opposed the prayer for bail to the petitioner.

In view of above submissions and going through the material on record it transpires that the FIR was lodged against unknown persons. The allegation against the petitioner is that he along with others had committed murder to the brother of the informant and concealed the dead body. On perusal of FIR and case diary it appears that there is specific allegation against the petitioner along with other co-accused for committing murder to informant's brother. On perusal of case diary vide para no. 70, 72 121 and 130, supported the alleged occurrence of the case against the petitioner. The supplementary investigation against the petitioner is still in pending. Considering the heinous nature of offence and pendency of the investigation,

this court is not inclined to enlarge on bail to the petitioner. As such, the prayer of the petitioner is rejected and the petition is disposed of accordingly.

Dictated
Sd/-

Addl. Sessions Judge-II
Begusarai