

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52774 of 2015

Arising Out of PS.Case No. -108 Year- 2010 Thana -BAJPATTI District- SITAMARHI

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Laddu Master @ Md. Laddu Master @ Khaliquzzaman @ Md.
Khaliquzzaman, S/O Late Md. Ayub, resident of village- Bakhari, P.S.-
Bajpatti, Distt.- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Sri Krishna Prasad, Sr.Advocate
Mr. Diwakar Prasad Karn

For the Opposite Party/s : Mr. Nawal Kishore Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

2 10-12-2015 Heard Sri Krishna Prasad, learned senior counsel who

was assisted by Sri Diwakar Prasad Karn, learned counsel for the

petitioner and Sri Nawal Kishore Prasad, learned A.P.P.

The petitioner, who is in custody since 17.9.2015 in
connection with Bajpatti P.S. Case No. 108 of 2010 registered for
the offence punishable under Section 147, 148, 149, 341, 323,
324, 307 of the Indian Penal Code and subsequently Section 302
of the I.P.C. was added has prayed for grant of bail.

It was submitted by learned senior counsel for the
petitioner that in this case almost all the accused persons save
and except the petitioner have already been enlarged on bail and

there is general and omnibus allegation against the petitioner and as such he makes a prayer for granting bail to the petitioner.

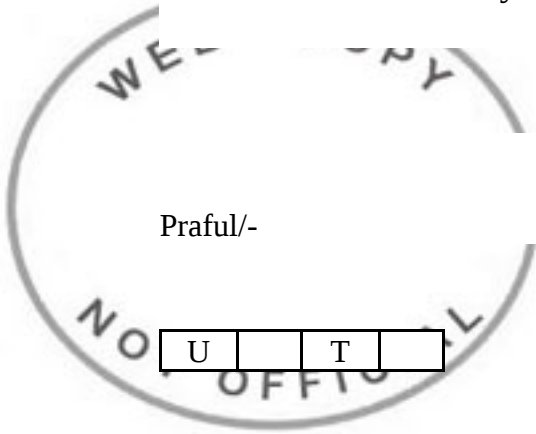
In the present case F.I.R. was lodged in the year 2010 and petitioner was also named as one of the accused in the F.I.R. Even then, earlier he did not chose to approach the court either for surrender or making prayer for anticipatory bail. However, in the year 2014 a petition for grant of anticipatory bail was filed vide Cr. Misc. No. 13582 of 2014 which was dismissed on 5.11.2014 with an observation that petitioner may surrender and seek regular bail. Even though the anticipatory bail petition of the petitioner was rejected on 5.11.2014 he did not take sincere effort to immediately surrender. However, at much belated stage as stated in paragraph no. 9 he surrendered only on 17.9.2015 and since then he is in jail. It has been admitted that in this case charge has already been framed.

Keeping in view the conduct of the petitioner that he had not immediately taken any step as well as the fact that trial has already commenced, there is no reason to grant bail to the petitioner.

The petition stands dismissed.

However, keeping in view the fact that petitioner is in custody and charges have already been framed, while dismissing

the petition it is observed that the trial court may take steps for early disposal of the case.



(Rakesh Kumar, J)