

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15187 of 2015

Arising Out of PS.Case No. -126 Year- 1997 Thana -MEHANDIA District- JEHANABAD

Kamakhya Singh S/o Late Haridwar Singh Resident of Village Barhi,
Police Station Charpokhari, District Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Ram Suresh Rai, Sr. Advocate.

For the Opposite Party/s : Mr. Satyendra Narayan Singh (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-05-2015

Heard Mr. Ram Suresh Rai, learned senior counsel

for the petitioner, and the learned A.P.P. for the State.

The petitioner apprehends his arrest in a case under
Section 302 and other sections of the Indian Penal Code and
Section 27 of the Arms Act.

The case appears to be of the year 1997. It is
submitted that the case of the petitioner was separated from the
case of other accused persons. Sixteen accused persons have been
convicted by the trial court but the Hon'ble High Court set aside
the judgment of conviction and acquitted the accused persons. The
case of the petitioner remained pending but the petitioner did not
get any information. At no point of time, any summon was issued
to the petitioner but he has been declared absconder.

Considering the fact aforesaid that the petitioner has

already been declared absconder, I am not inclined to enlarge the above named petitioner on anticipatory bail in Mehendia P.S. Case No. 126/1997. Accordingly, the same is rejected.

The petitioner is directed to surrender in the court below within four weeks from today and make prayer for regular bail. The court below shall consider the prayer for regular bail of the petitioner taking into consideration whether any summon was sent to the petitioner or the petitioner was declared absconder after following the procedures of law as prescribed under Sections 82 and 83 of the Code of Criminal Procedure and dispose of the bail petition on merit without being prejudiced by the order of this Court.

(Prabhat Kumar Jha, J)

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