

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57445 of 2015

Arising Out of PS.Case No. -138 Year- 1984 Thana -RAFIGANJ District- AURANGABAD

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1. Kallu Sah son of Bipat Sah R/o Village - Sultanpur, P.S. - Rafiganj,
District - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Anil Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 22-12-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner was earlier on bail in Rafiganj P.S. Case
No. 138 of 1984 which was registered on 01.09.1984 for the
offences punishable under Sections 147, 148, 149, 302 of the
Indian Penal Code.

From perusal of the impugned order, I find that bail
bond of the petitioner was cancelled on 01.03.2013 due to his non
appearance but subsequently, he was arrested on 02.10.2015 and
remanded in the aforesaid case.

It is shocking to see that in a case of year 1984 still
charge could not be framed by the court below and furthermore,
the impugned order of learned court below reflects that petitioner

attended the court below till the year 2013 i.e. for near about 30 years.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VII, Aurangabad in connection with Rafiganj P.S. Case No. 138 of 1984 corresponding to Sessions Trial No. 167 of 1985/393 of 2015.

However, learned Sessions Judge, Aurangabad is directed to look into the matter and ascertain as to why the case of year 1984 is pending and also ensure the disposal of aforesaid case as early as possible, preferably within nine months from the date of receipt/production of copy of this order.

(Hemant Kumar Srivastava, J)

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