

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17969 of 2015

Arising Out of PS.Case No. -131 Year- 2007 Thana -DUMRAUN District- BUXAR

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Upendra Singh, S/o Late Lalan Singh, resident of village- Fagu Tola (Ko Pawan)P.S.- Koran Sarai, District- Buxar. Petitioner.

Versus

The State of Bihar. Opposite Party.

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Appearance :

For the Petitioner : Mr. Bachan Jee Ojha, Adv.

For the Opposite Party : Mr. Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

02 10-06-2015

The petitioner apprehends his arrest in Dumraon P.S.

Case No.131 of 2007 (Sessions Trial No.116 of 2008) instituted under Section-302/201 of the Indian Penal Code, pending before the learned A.D.J.-I, Buxar.

Learned counsel for the petitioner submits that the F.I.R. was against unknown and petitioner was not charge-sheeted. It is only in course of trial when the father and mother of the deceased were examined, the Court summoned the petitioner under Section-319 Cr.P.C.

After having examined the order of the learned Sessions Court, it appears that the order was passed in the year 2009 and the petitioner is yet to appear before the Sessions Court. In that view of the matter, I am not inclined to entertain this application. However, if so advised, the petitioner may surrender before the Trial Court within four weeks from today and pray for bail, the

Trial Court would consider the prayer on its own merits and available evidence as against the petitioner and pass necessary order in accordance with law without being prejudiced by order of this Court.

Accordingly, this application is rejected.

(Navaniti Prasad Singh, J.)

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