

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24398 of 2015

Arising Out of PS.Case No. -71 Year- 1998 Thana -SINGHIYA District- SAMASTIPUR

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1. Deo Narayan Mukhia. Son of Jibachh Mukhia. Resident of Village - Jibu Dihuli, P.S.- Singhia, Distt.- Samastipur.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Krishna Prasad Singh

For the Opposite Party : Mr. Akbar Ali (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-06-2015

Heard learned counsels for the petitioner and

the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 302, 307, 323, 324, 341, of the Indian Penal Code and Section 27 of the Arms Act after being summoned in exercise of jurisdiction under Section 319 of the Cr.P.C.

The petitioner was named in the First Information Report with specific accusation of assault with farsa after first assault made by Upendra Mukhia to Fuleshwar Mukhia. But the petitioner was not sent up for trial and subsequently cognizance was taken. But, after examination of the witnesses during investigation the petitioner was summoned in exercise of jurisdiction under Section 319 of the Cr.P.C.

It is submitted by learned counsel for the

petitioner that the case was instituted in the year 1998 and the petitioner has been summoned in the year 2013 without appreciating the evidence in true prospective.

Considering the fact that petitioner was not sent up for trial and has been summoned after 14 years of the institution of the case, it is a case for consideration of regular bail, if the petitioner surrenders within a period of four weeks in connection with Sessions Trial No. 215 of 2002, arising out of Singhia P.S. Case No. 71 of 1998, pending in the Court of learned Additional District & Sessions Judge, Rosera, Samastipur.

With the observations above, the application stands disposed off.

(Dinesh Kumar Singh, J)

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