

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31313 of 2015

Arising Out of PS.Case No. -90 Year- 2004 Thana -SAHODARA District-
WESTCHAMPARAN(BETTIAH)

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Kishore Kumar S/o Siyaram Mahto Resident of Village - Parsanda, P.S. -
Sahodara, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr. Ahmad Ali, App

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 04-08-2015 Heard learned counsels for the petitioner and the State.

Petitioner is apprehending his arrest in a case registered
for the offences punishable under Sections 302/34 and 120B of the
Indian Penal Code.

The prosecution case is that the dead body of Bhagan
Das was found hanging on the Pipal tree. It is also alleged that co-
accused Rajesh Mahton and Kailash Bihari, with the help of 3-4
unknown persons, killed the victim and hanged the dead body on
the Pipal tree.

It is submitted by learned counsel for the petitioner that
petitioner is not named in the FIR. The FIR was registered in the
year, 2004 and charge-sheet has been submitted after declaring the

petitioner as absconder on 29.09.2005 and learned Chief Judicial Magistrate, Bettiah took cognizance on 30.10.2006. It is submitted that the process under 82-83 Cr.P.C has never been executed against the petitioner.

Considering that the FIR was registered in year 2004 and cognizance was taken in the year 2006, this Court is not inclined to entertain the application.

With the observations above, the application stands disposed off.

(Dinesh Kumar Singh, J)

Prakash/-

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