

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.55442 of 2015**

Arising Out of PS.Case No. -111 Year- 2002 Thana -NAWANGAR District- BUXAR

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1. Dharmdeo Singh @ Dharmdeo Yadav S/o Basdeo Singh Yadav, resident  
of village- Mania, P.S.- Nawanagar (Sonbarsha O.P.), District- Buxar

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Md.Iftekhar Mahmood(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**  
**ORAL ORDER**

7      18-04-2016      Supplementary affidavit has been filed on behalf of  
  
the petitioner disclosing further criminal antecedent of the  
  
petitioner. Let it be kept on the record.

Heard the learned counsel for the petitioner as well as  
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences  
punishable under sections 147, 148, 149, 307, 324 and 302 of the  
I.P.C

Allegedly, the petitioner and other FIR named accused  
persons being armed opened indiscriminate firing wherein the  
petitioner being armed with A.K-47 opened fire resulting the  
brother of the informant fell down and he succumbed to the  
injuries. It is also alleged that Kuwar Singh also received pellet  
injury and the miscreants fired on the police party also. Further,

from the place of occurrence four empty cartridges of A.K.-47 were recovered.

Submission is of false implication and that the petitioner was residing out side the State to earn his livelihood. He has voluntarily surrendered on 18.09.2015 and since then he is in custody, other co-accused have been allowed bail by different Benches of this Court and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. seriously opposes by submitting that this is a case of the year 2002 and the petitioner remained absconding for 13 years, the petitioner has also got criminal antecedent and further there is allegation that the petitioner opened fire with A.K-47 and four empty cartridges of A.K-47 were recovered from the place of occurrence also.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner and further his period of abscondance, at present I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Nawanagar P.S. Case No. 111 of 2002/ G.R. No. 1245 of 2002 pending in the court of C.J.M. Buxar.

**(Jitendra Mohan Sharma, J)**

Abhay/-

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