

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58542 of 2015

Arising Out of PS.Case No. -38 Year- 2001 Thana -CHARPOKHARI District- -

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1. Suresh Lal @ Suresh Sao Son of Ramdeo Lal @ Ramdeo Sah R/o
Village Dayal Chhapra, P.S. Charpokhari, District Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Anil Kumar Singh, No.6, App.

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

3 30-03-2016 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 offence punishable under section 364/34 of the I.P.C and section 27 of the Arms Act.

The petitioner is named in the FIR along with others that they after making slogans of Maobadi- Leninbadi took away Raj Kishore Yadav, Anup Singh and Raktu Mushar after opening fire and later on the dead body of Raj Kishore Yadav and Anup Singh were recovered. This is a case of the year 2001 and earlier the petitioner has come before this Court for pre-arrest bail vide Cr. Misc. No. 4699 of 2003 which was dismissed by the order dated 10.07.2003 and since then the petitioner remained

absconding and he has been apprehended and is in custody since 24.09.2015.

Submission is of false implication and that Raktu Mushar who was kidnapped has not been examined, there is no legal and tangible material against the petitioner except the statement of the informant, in the First Information Report the petitioner is named as Suresh Sah but his alias name has been added as Suresh Lal and as such he deserves sympathetic consideration as co-accused Sukriti Ram @ Swikriti Ram @ Gopal Ram has already been acquitted, to which the learned A.P.P. seriously opposes.

In the facts and circumstances as stated above, considering the period of abscondance since long, at this stage I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Charpokhari P.S. Case No. 38 of 2001 pending in the court of C.J.M. Ara (Bhojpur).

However, let the trial be expedited and concluded as early as possible.

(Jitendra Mohan Sharma, J)

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