

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28085 of 2016

Arising Out of PS.Case No. -138 Year- 1984 Thana -RAFIGANJ District- AURANGABAD

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Salim Sah, S/o Khalil Sah, residentt of village- Sultanpur, P.S- Rafiganj,
Distt.- Aurangabad (Bihar)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Kr Singh No. 6, Advocate

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 26-09-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner was initially, made accused in Rafiganj P.S.
Case No.138 of 1984 which was registered for offences under
Section 302 and other minor Sections of the Indian Penal Code on
2.9.1984 and subsequently, he was granted bail. The petitioner
attended the court below till the year 2013 but subsequently, he
left the pairwi resulting cancellation of bail bonds on 1.3.2013.
Petitioner subsequently, surrendered before the court below on
13.6.2016 and since then he is languishing in jail custody. The
above stated fact goes to show that Rafiganj P.S. Case No.138 of
1984 is pending for more than 30 years and the impugned order
reveals that up till now charge could not be framed.

Considered the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional District Judge, VII, Aurangabad in connection with Rafiganj P.S. Case No.138 of 1984.

Let a copy of this order be sent to learned Sessions Judge, Aurangabad with a direction to him to ensure the disposal of the above stated Rafiganj P.S. Case No.138 of 1984 corresponding to Sessions Trial No.393 of 2015 pending in the court of Additional Sessions Judge-VII, Aurangabad as early as possible.

(Hemant Kumar Srivastava, J)

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