

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.33774 of 2016**

Arising Out of PS.Case No. -65 Year- 2003 Thana -KHAIRA District- JAMUI

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Shukar Hansda Son of late Baraku Hansda Resident of Village-  
Deepakarhar, P.S Khaira, District Jamui.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Rajesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

3      22-10-2016                      Heard learned counsel for the petitioner as well as  
  
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Section 302 and other allied sections of the Indian Penal Code, Section 27 of the Arms Act, Section 34 of Explosive Substance Act and Section 34 of Prevention of Terrorist Act.

No doubt, several co-accused have already been granted privilege of bail by different Benches of this Court including this Bench but the present occurrence took place in the year 2003 and three persons are said to have kidnapped and killed and petitioner came before this court in the year 2012 for grant of anticipatory bail and this Court while disposing of his anticipatory

bail petition directed him to surrender before the court below within six weeks vide order dated 18.07.2012. However, the impugned order goes to show that petitioner did not comply with the direction of this court and he could be remanded in this case on 11.04.2015 when he was arrested in connection with another criminal case. Petitioner carries criminal antecedent of two cases.

Therefore, considering the previous conduct of the petitioner as well as facts and circumstances of the case, I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Khaira P.S. Case No. 65 of 2003 pending in the court of Chief Judicial Magistrate, Jamui stands rejected.

However, petitioner may renew his prayer for bail, if his trial is not concluded within nine months from the date of receipt/production of copy of this order.

**(Hemant Kumar Srivastava, J)**

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