

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11734 of 2016

Arising Out of PS.Case No. -109 Year- 2001 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

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1. Phate Ram son of Late Chaitu Ram, R/o Village Kinarchola, P.S.
Bhagwanpur, District- Kaimur at Bhabua..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. A.M.P.Mehta(App)

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

ORAL ORDER

3 29-04-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 109 of 2001 registered for the offences
punishable under Sections 147, 148, 149, 504, 323, 326, 307 of the
Indian Penal Code.

Allegedly, 7-8 armed miscreants surrounded the house
of the informant, assaulted the mother of the informant asking
whereabout of her son and when the mother raised alarm then she
was shot and the informant identified the petitioner also standing
with rifle along with others.

Submission is of false implication and that there is no
specific allegation against the petitioner and he is suffering in
custody since 31.12.2015.

Learned APP opposes the prayer of bail by submitting that the petitioner has got criminal antecedent as he is involved in four more cases.

In the facts and circumstances stated above, considering that prayer of pre-arrest bail of the petitioner was rejected in the year 2009 and thereafter, he remained absconding and as such, at this stage, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, he may renew his prayer of bail after remaining further four months in custody.

(Jitendra Mohan Sharma, J)

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