

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49141 of 2015

Arising Out of PS.Case No. -44 Year- 2003 Thana -MATIHANI District- BEGUSARAI

1. Ram Lagan Sah, Son of Sri Janardan Sah, resident of village Kharidi,
Police Station Matihani, in the district of Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Asha Kumari(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 08-02-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor representing the State.

The petitioner seeks bail in connection with Matihani
P.S. case No. 44/2003 registered for the offences punishable under
sections 147, 148, 149, 307 and 302 of the Indian Penal Code.

Allegedly, the petitioner and other accused, being
armed, came and thereafter co-accused Kari Sahni shot Shri Ram
Singh, cousin of the informant, and thereafter other accused also
opened fire and then the petitioner and co-accused Chansi Paswan
also shot cousin of the informant on his stomach and back and
after opening fire the accused persons fled away.

Submission is of false implication and that in this case
other accused, namely, Pintu Yadav and Santosh Yadav have

already been acquitted vide Sessions Trial No. 378 of 2006, in that Sessions Trial the informant has not labelled allegation against the petitioner, the petitioner has voluntarily surrendered on 22.07.2015 and since then he is in custody.

Learned Additional Public Prosecutor opposes the prayer for bail by submitting that the petitioner remained absconding and he was declared absconder and further the petitioner is also one of the assailants.

In the facts and circumstances stated above, considering the allegation and the period of abscondance, this court is not inclined to enlarge the petitioner on bail and as such the prayer is rejected.

(Jitendra Mohan Sharma, J)

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