

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36249 of 2016

Arising Out of PS.Case No. -73 Year- 1997 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

Kari Sah son of Meghu Sah Resident of Village - Chatiya Diar, Police
Station - Malahi, District - East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Dilip Kumar Tondon

For the Opposite Party : Mr. Manoj Kumar - 1

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-10-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 364(A) and 379/34 of the Indian Penal Code.

The prosecution story, in brief, is that on 20.09.1997,
when the informant along with his son was sleeping in the room,
in the meantime, some unknown persons entered into the room
and abducted his son and they also took away the articles kept in
the room. It is also alleged that the miscreants also took away his
nephew namely Pradeep Sah but he managed to escape from their
custody.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 22.04.2016. The charge sheet has

been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the First Information Report. The victim examined under section 164 of the Cr.P.C., has not named the petitioner.

On behalf of the state, it has been submitted that the name of the petitioner has come in course of investigation. The process of attachment was issued in the year 1999. The case relates to the year 1997 and the petitioner has surrendered on 22.04.2016 i.e. he has been absconding for the last 17 years in the present case. He has got 8 other criminal cases pending against him.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected at this stage, in Paharpur P.S. Case No. 73 of 1997, arising out of Sessions Trial No. 525 of 2016, pending in the Court of learned Additional Sessions Judge-13th, East Champaran at Motihari.

(Sudhir Singh, J.)

Amit/-

U		T	
---	--	---	--