

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3120 of 2016

Arising Out of PS.Case No. -19 Year- 1998 Thana -PARAIYA District- GAYA

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1. Durga Paswan Son of Late Ram Lagan Paswan resident of village -
Kamaldah, Police Station - Paraiya, District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Arun Kr.Panday(App)

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

3 29-03-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence
punishable under section 396 of the I.P.C

Allegedly, in the house of the informant dacoity was
committed and further the father of the informant was shot dead
by the dacoits and the petitioner was identified out of them and he
was armed with pistol.

Submission is of false implication and that the
petitioner is in custody since 09.10.2015, earlier he was in jail in
connection with Paraiya P.S. Case No. 41 of 2005 but he was not
remanded in this case, the petitioner has been named due to
enmity, other co-accused have been allowed bail and as such the

petitioner also deserves sympathetic consideration, to which the learned A.P.P. seriously opposes by submitting that this is a case of the year 1998 and the petitioner remained absconding since long.

In the facts and circumstances as stated above, considering period of abscondance, at this stage I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with S. Tr. No. 18 of 2000 arising out of Paraiya P.S. Case No. 19 of 1998 pending in the court of the Additional Sessions Judge- VIIth, Gaya.

Abhay/-

(Jitendra Mohan Sharma, J)

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