

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9093 of 2016

Arising Out of PS.Case No. -40 Year- 2004 Thana -MEERGANJ District- GOPALGANJ

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1. Surendra Pandey Son of Ramshray Pandey, resident of village- Brity Tola, P.S.- Kuchaikote, District- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

For the Opposite Party/s : Mr. R.P.S. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 26-04-2016 Heard the learned counsel for the petitioner, the learned A.P.P for the State as also the learned counsel for the Informant.

The petitioner seeks bail in a case for the offences punishable under sections 302 and 120 (B) of the I.P.C

This is a case of the year 2004 and the petitioner remained absconding and he has been apprehended and is in custody since 11.03.2015. The First Information Report is against unknown for killing Kanhaiya Kumar Pandey in hostel in the night. During investigation the name of the petitioner has transpired.

Submission is of false implication and that only on suspicion the petitioner has been implicated, there is no eye

witness of the occurrence and as such the petitioner deserves sympathetic consideration, to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that in the year 2006 charge sheet was submitted showing the petitioner absconder and if he will be released on bail again the trial will be hampered.

In the facts and circumstances as stated above, considering the period of long abscondance, at present I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with S. Tr. No. 349 of 2015 arising out of Mirganj P.S. Case No. 40 of 2004 pending in the court of the Additional District & Sessions Judge- VIII, Gopalganj.

However, the learned trial Judge is directed to expedite the trial and to conclude the same preferably within a period of nine months from the date of receipt/production of a copy of this order, failing which the petitioner, if at no fault, may renew his prayer for bail.

(Jitendra Mohan Sharma, J)

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