

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10947 of 2016

Arising Out of PS.Case No. -277 Year- 1999 Thana -MASRAKH District- SARAN

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1. Ram Balak Sahani, son of Bharat Sahani, resident of Village- Torhan,
P.S.- Panapur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate.

For the Opposite Party/s : Mr. Madhura Nand Jha (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

4 19-05-2016 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 364/34 of the I.P.C

Seven accused persons are named in the First
Information Report including the petitioner with the allegation that
they along with 4-5 persons being armed kidnapped Nawal Singh,
the father of the informant and the younger brother Binay Kumar
and took away forcibly in the Boat.

Submission is of false implication and that there is no
specific allegation against the petitioner, other co-accused Kishore
Rai and Mangal Rai have already been allowed bail and the
petitioner is suffering in custody since 08.09.2014.

The learned A.P.P. seriously opposes prayer for bail by submitting that the petitioner remained absconding since long and due to absence of the petitioner the trial was held up.

In the facts and circumstances as stated above, considering the period of abscondance, at present I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Sessions Trial No. 307 of 2015 arising out of Masrakh P.S. Case No. 277 of 1999 pending in the court of the Additional Sessions Judge-III, Saran.

However, the petitioner may renew his prayer for bail after examination of at least two prosecution witnesses during trial.

(Jitendra Mohan Sharma, J)

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