

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32179 of 2016

Arising Out of PS.Case No. -55 Year- 1995 Thana -KHAIRA District- JAMUI

1. Jai Prakash Singh S/o Late Raj Kishore Singh
2. Subhash Singh S/o Late Raj Kishore Singh
Both are residents of Village - Dinari, P.S. - Khaira, District - Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Shailendra Kumar 1 (App)

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 18-08-2016 Heard Sri Krishna Prasad Singh, learned senior counsel

who was assisted by Sri Saket Kumar Singh, learned counsel for

the petitioners and Sri Shailendra Kumar, learned A.P.P.

Two petitioners , who were declared as absconders in a

case in which petitioners were named with specific allegation in

the F.I.R. registered in the year 1995 have prayed for bail in

Khaira P.S. Case No. 55 of 1995 registered for the offence under

section 302/ 34 of the Indian Penal Code , section 27 of the Arms

Act and section 3 / 4 of the Explosive Substances Act

corresponding to Sessions Trial No. 146(A) of 1997.

Learned counsel for the petitioners submits that

petitioners were falsely implicated however they are in custody

since 12.9.2015. It has been argued that petitioner no. 1 is aged

about 75 years and petitioner no. 2 is aged about 55 years and as such considering the old age of the petitioners this court may extend the privilege of bail.

Learned A.P.P. has opposed the prayer for bail. He submits that petitioners were finally declared as absconder by order dated 18.3.2010 and the record was deposited in the record room however subsequently the petitioners were arrested on 12.9.2015 and the case is fixed for charge.

Keeping in view the fact that petitioners were absconders as well as the fact that there is specific accusation against both the petitioners, there is no reason to extend the privilege of bail.

The petition stands dismissed.

The court expects that the learned trial court may take appropriate steps for early disposal of the case.

(Rakesh Kumar, J)

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