

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4763 of 2016

Arising Out of PS.Case No. -22 Year- 2002 Thana -BIDUPUR District- VAISHALI (HAJIPUR)

Sanjeev Kumar Singh Son of Lal Bahadur Singh, Resident of Village-
Kutubpur Saidpur, P.S. - Bidupur, District - Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Sinha

For the Opposite Party/s : Mr. C.Sen Prasad Singh (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 04-02-2016

Heard learned counsels for the petitioner
and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 147,
148, 149, 302 of the Indian Penal Code, 27 of the Arms Act and
3/5 of Explosive Substances Act.

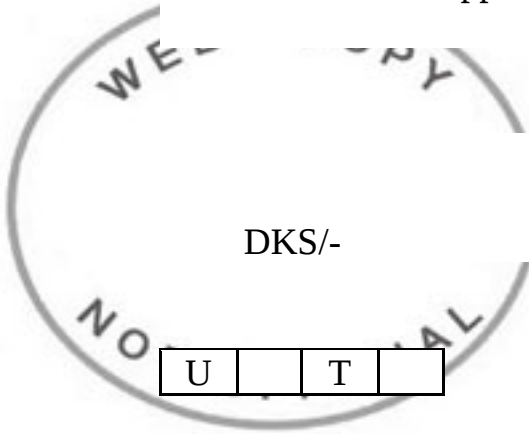
The prosecution case is that co-accused
Satya Narayan Bhagat, Shashi Bhushan Kumar, Shankar and
Uday Kumar Jha resorted to indiscriminate firing but none



sustained any injury. It is alleged that the petitioner threw explosives causing injury on the head of Binod Kumar Rai as a result he succumbed to the explosive injuries. On conclusion of the investigation petitioner was not sent up for trial as it was suggested that the petitioner was not present at the place of occurrence while others were charge-sheeted against whom cognizance was taken on 29.09.2002, but differing with the final form which was submitted in 2002, cognizance was taken against the petitioner on 24.08.2011. The said order of cognizance was challenged in quashing application which was dismissed on 06.07.2015.

Considering the fact that the case was registered in 2002 and the order of cognizance was passed in 2011, this Court is not inclined to interfere. But, keeping in view of the fact that the petitioner was not sent up for trial and he has no criminal antecedent, statement to that effect has been made in paragraph 3 of the petition, it is a case for consideration of prayer for regular bail, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Bidupur P.S. Case No. 22 of 2002 pending in the court of learned Chief Judicial Magistrate, Vaishali at Hajipur.

With the aforesaid observation, this application is disposed of.



(Dinesh Kumar Singh, J)

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