

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21441 of 2017

Arising Out of PS.Case No. -45 Year- 1993 Thana -RAIL District- LAKHISARAI

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Deven Dharhi, Son of Rameshwar Dharhi, Resident of Village- Purani
Ishua, P.S. Sarmera, Distt- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Sahay Jamuar

For the Opposite Party/s : Mr. Sri Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 17-05-2017

Heard.

The petitioner seeks bail in a case registered under Sections 448, 307/34 of the Indian Penal Code and 3/4 of Explosive Substance Act, way long back in the year 1993.

A fresh bail petition is moved by the petitioner.

Learned counsel for the petitioner submits that earlier the prayer for bail was rejected by order dated 21.12.2016 passed in Cr.Misc.No.54165 of 2016 with an observation that the petitioner may renew his prayer for bail after framing of the charges.

Learned A.P.P. submits that the case is of the year 1993 and the nature of case is serious.

The petitioner absconded for a long period and



apprehended on 19.9.2015 and charge was framed against him before passing of the said order dated 21.12.2016. This fact was not placed before the Court. The petitioner is accused in serious case of Explosive Substances Act and Section 307 and other Sections of the IPC and absconded for a very long time. At the time of passing of the previous order, the charge was already framed. Therefore, there is no fresh material at this stage to consider the prayer for grant of bail. Therefore, his prayer for bail in connection with Rail Thana Keul P.S. Case No.45 of 1993 (Sessions Trial No.31B/95) pending in the court of learned A.D.J.-III, Lakhisarai is again rejected.

However, the petitioner may renew his prayer for bail after one year, if the trial does not conclude.

(Arun Kumar, J)

Arvind/-

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