

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39479 of 2017

Arising Out of PS.Case No. -182 Year- 2008 Thana -KADWA District- KATI HAR

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1. AWADHESH KUMAR SAH @ AWADHESH SAH @ AWADHESH SINGH Son of Sri Madan Sah, R/o Village- Chapahari, P.S.- Rupauli, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-09-2017 Heard the parties.

This application is for grant of regular bail in connection with Kadwa P.S.Case No.182 of 2008 for the offences under Sections 302 & 341 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is that after occurrence he was seen fleeing along with one co-accused persons with fire arms and the son-in-law of the informant succumbed to injuries.

Submission of the learned counsel for the petitioner is the co-accused has already been acquitted in this case and the case of this petitioner is on better footing to that of the co-accused. It is further submitted that he was pursuing the matter before the



higher authority, as such he could not surrender earlier and thereafter he surrendered on 31.3.2017, since then he is in custody.

Heard learned A.P.P. also, who has opposed the prayer for bail submitting that the petitioner was absconding and the impugned order also shows that twice his anticipatory application for bail was rejected by this Court but despite that he had not surrendered..

Having heard both sides, apart from the allegations and considering conduct of the petitioner, I am not inclined to grant bail to the petitioner, hence, the prayer for bail of the petitioner is rejected, however, as the petitioner is in custody, the learned trial court is directed to expedite the trial of the petitioner and try to conclude it within a period of nine months from the date of commitment of the case.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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