

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41109 of 2017**

Arising Out of PS.Case No. -154 Year- 1997 Thana -KASBA District- PURNIA

=====

Mohammad Mazhar Raza @ Mazhar, son of Mohammad Iliyas Ahmad, r/o  
Ward No.8, Kayami, Kasba, Sadhauli, P.S. Kasba, Distt. Purnea.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Advocate.

For the Opposite Party/s : Mr. Ashok Kumar Singh 1, A.P.P.

=====

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

4      11-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Kasba P.S.

Case No. 154 of 1997 instituted for the offence under Sections  
302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that  
the petitioner at the time of occurrence was aged about 7 years  
which would be apparent from First Information Report also. The  
other three accused persons have faced trial and acquitted vide  
Sessions Trial No. 167 of 2002. It has further been submitted that  
there is no allegation against the petitioner in the First Information  
Report.

The Sessions Judge has mentioned in the impugned  
order that this petitioner is absconding since 18.06.1997.

In such circumstances the application is disposed off



with a direction to the petitioner to surrender before the court below within a period of four weeks from the date of receipt of this order and make prayer for regular bail which shall be disposed off by the court below on the same day in accordance with law without being prejudiced by this order after considering the facts that other accused have been acquitted by Sessions Trial No. 167 2002 and petitioner was aged about seven years at the time of occurrence.

**(Sanjay Priya, J)**

S.Ali/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

