

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14975 of 2017

Arising Out of PS.Case No. -23 Year- 1992 Thana -BARAHIYA District- LAKHISARAI

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Awadhesh Yadav Son of Bhallu Yadav, Resident of Village- Pipariya Naya
Tola, P.S.- Pipariya, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 20-06-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 147, 148, 149, 324 and 307 of the I.P.C
and section 27 of the Arms Act.

It is a case of the year 1992. There is allegation that
the petitioner and others being the members of gang of Kailu
Yadav opened firing at the time of fair of Maghi Purnima to
collect ransom from the shop keepers causing injury to some
persons and those injured were taken away by the gang of Kailu
Yadav.

Submission is of false implication and that in this case
other co-accused have been allowed bail, there is no specific



allegation against the petitioner and the petitioner is suffering in custody since 01.04.2016.

The learned A.P.P. opposes prayer for bail of the petitioner by submitting that the petitioner has been declared absconder by order dated 28.07.2003 and he is named accused in the FIR. After hectic effort the petitioner has been apprehended.

In the facts and circumstances as stated above, considering the period of abscondance, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Sessions Trial No. 343 of 2000 arising out of Barahiya P.S. Case No. 23 of 1992 pending in the court of Additional District & Sessions Judge, Lakhisarai.

However, considering the period of custody of the petitioner, let the trial be expedited and concluded as early as possible preferably within a period of six months.

(Jitendra Mohan Sharma, J)

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