

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29858 of 2017

Arising Out of PS.Case No. -26 Year- 1996 Thana -DARPA District-
EASTCHAMPARAN(MOTIHARI)

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1. Kuar Mukhiya son of Late Bhajan Mukhiya resident of village - Chota Tola Rampur, P.S. - Darpa, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 01-08-2017 The petitioner seeks regular bail in connection with Darpa P.S. Case No. 26 of 1996, registered for offences punishable under Sections 364, 302, 201/34 of the Indian Penal Code.

Allegation against the petitioner that he along with other co-accused persons took the father of the informant with themselves and next day dead body of the father of informant was recovered.

It has been submitted on behalf of the petitioner that there is absolutely nothing against the petitioner so as to connect him with the present case. Further the police after investigation has not found the case against the petitioner true and submitted final form. However, learned Magistrate took cognizance against the



petitioner and other co-accused having similar allegation has already been granted bail. Further petitioner has been in judicial custody since 02.02.2017.

Heard learned A.P.P. also.

Having heard both sides, from perusal of the record it appears, that the case is of the year 1996 and the petitioner was declared absconder in this case vide order dated 10.07.2008 and due to which the trial of the petitioner was separated from the trial of other co-accused persons and petitioner has been arrested in the year 2017, as such, considering the conduct of the petitioner, I am not inclined to release him on bail, his application for regular bail is, accordingly, rejected.

However, as the case is of the year 1996, the trial court is directed to expedite the trial and try to conclude it within a period of seven months.

At the same time, S.P. East Champaran shall also ensure the production of witnesses in the trial court on the date fixed so that the trial can be concluded within the aforesaid period.

(Vinod Kumar Sinha, J)

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