

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29816 of 2017

Arising Out of PS.Case No. -156 Year- 1992 Thana -LAKHISARAI District- LAKHISARAI

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Shankar Mandal, son of Late Ramchandra Mandal, Resident of Village-
Bari Pokhar Purani Bazar, Lakhisarai, P.S. and District- Lakhisarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Narsingh Tanti

For the Opposite Party/s : Smt. Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-07-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Lakhisarai P.S.Case No. 156 of 1992 registered for the offences
punishable under Sections 148, 149, 341, 324, 307 of the Indian
Penal Code and 27 of the Arms Act.

It appears from perusal of the record that in this case
provisional bail was granted to the petitioner by this Court in
Cr.Misc.No. 3206 of 1993, vide order dated 22.3.1993 and
thereafter petitioner has not surrendered in the court below and
absconded for 24 years and now he is in custody since 28.11.2016.

It has been submitted on behalf of the petitioner that
in this case, case diary was missing and, as such, trial of the
petitioner is held up.



Heard learned APP also.

Having heard both sides, considering the facts and circumstances and from perusal of the record it appears that earlier a report was called for from the Superintendent of Police, Lakhisarai, who has submitted a report at Flag 'X' stating that case diary is not available and he has written to the District Magistrate as well as Superintendent of Police, Munger for the same.

Considering the long misuse and conduct of the petitioner after granting of provisional bail he has absconded for 24 years, I am not inclined to grant him bail. Prayer for bail of the petitioner is rejected.

However, a report be called for from the District Magistrate, Lakhisarai and Superintendent of Police, Munger as to whereabouts of the case diary. It is expected that both the officers will take the matter seriously and submit a report to this Court within 15 days as to what steps they have taken in this regard.

(Vinod Kumar Sinha, J)

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