

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13964 of 2018

Arising Out of PS.Case No. -41 Year- 1990 Thana -ROUH District- NAWADA

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MD. MUSLIM MIYAN @ MD. MUSLIM @ MD. MUSLIM SAH, son of
Late Shekhawat Sah, resident of Village Bhatta, PS Roh, District Nawada

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Sri Nagendra Prasad

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 09-03-2018 Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody, seeks bail in Roh PS Case No.
41 of 2017 registered under Sections 304A, 201 of the IPC and
Sections 3, 4, 5 of the Explosive Substances Act.

This is a case of misuse of privilege of bail. The case record
of the petitioner was separated on 20.9.1993.

Learned Counsel for the petitioner submits that the processes
issued against the petitioner were not served on him so he had no
knowledge.

Learned Counsel for the State submits that after exhausting
all the process his case was separated and there is long misuse of
approximately 25 years and still charge has not been framed against
the petitioner, he was apprehended by the police and then taken into
custody.

Having considered the said facts and circumstances, the
prayer for bail of the petitioner at present is rejected.

However the petitioner may renew the prayer for bail after
framing of the charge.

Snkumar/-

(Arun Kumar, J)

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