

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51495 of 2018

Arising Out of PS.Case No. -45 Year- 2000 Thana -PRANPUR District- KATIHAR

=====

1. Captain @ Noor Alam, Son of Late Samsuddin @ Samsul, resident of Village- Makarchalla, P.S.- Prampur, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Pranav Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-09-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Sections- 328, 302, 201, 406/34 of the Indian Penal Code.

The prosecution case, in brief, is that the husband of the informant had gone to this petitioner and one Firasat to market and when he returned, his condition was not good. It was disclosed by him that accused persons gave him food forcibly and thereafter, his condition became deteriorated. Thereafter, informant took her husband for treatment, where her husband died in course of treatment.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 14-04-2018 and there is no allegation



of tampering of witnesses alleged against the petitioner. It is a case of last seen. There is no direct or indirect evidence to suggest the implication of the petitioner in the present case. Due to previous enmity, the petitioner has been made accused. The date of occurrence is 05-07-2000 and the FIR was instituted on 15-09-2000. Delay has not been explained by the prosecution.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R. and he has been absconding for last 18 years.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. Accordingly, prayer for bail of the petitioner in connection with Pranpur P.S. Case No. 45 of 2000 corresponding to Sessions Trial No. 187 of 2018 is rejected at this stage.

(Sudhir Singh, J)

A.K.V./-

U		T	
---	--	---	--

