

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4669 of 2020

Arising Out of PS. Case No.-160 Year-2012 Thana- PALIGANJ District- Patna

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Srikant Das, Son of Late Bhutali Das, Resident of Village - Dariyapur, P.S.-
Pipra, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv.

For the Opposite Party/s : Md. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

6 27-07-2021 Heard Mr. Yogesh Chandra Verma, the learned

Senior Advocate for the petitioner and Mr. Ram Priya

Sharan Singh, the learned APP for the State.

The petitioner seeks bail in connection with

Sessions Trial No. 47 of 2019 arising out of Paliganj P.S.

Case No. 160 of 2012, instituted for the offences under

Sections 302 and 34 of the Indian Penal Code and Section

27 of the Arms Act.



It is alleged in the F.I.R. that the deceased, who is the husband of the informant, was fired upon and thereafter he was dragged out of his house and in full public view, he was brutally assaulted by sharp cutting weapon.

It has been submitted on behalf of the petitioner that though there is an accusation of firing against the petitioner, but the deceased has not received any gunshot injury. The injury has been caused by sharp cutting weapon.

Be that as it may, there is no explanation whatever of the petitioner remaining away from the trial process for about seven years.

The petitioner is in custody since 05.12.2019.

This Court had called for a report about the stage of the case from the Court below.

The report has yet not been received, but the learned Senior Advocate for the petitioner has informed that he has been instructed to intimate this Court that charges have been framed in this case but till date, not a



single witness has been examined.

Regard being had to the nature of accusation in the F.I.R. and the fact that the petitioner did not surrender to the process of law for about seven years, I am not inclined to grant bail to him; notwithstanding the fact that some of the similarly situated persons have been granted bail by different Benches of this Court.

The prayer for grant of regular bail of the petitioner is, accordingly, rejected for the present.

The application stands dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

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