

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22288 of 2021

Arising Out of PS. Case No.-42 Year-2002 Thana- KISHANGANJ District- Kishanganj

Sukdev Sharma @ Sukhdev Sharma Son Of Late Sohan Lal Sharma R/O Village- Pipaltola Barahmasia, P.S.- Angarh, District- Purnea, At Present Resident Of Village- Pipaltora Kutti, P.S.- Kochadhaman, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 18-11-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 120B of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that his brother disappeared. On enquiry he was informed by his nephew (son of the deceased) that he was last seen with three accused persons including the petitioner herein. It is further submitted that the next day the dead body of the deceased was recovered.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. There is no eye witness to the occurrence. At best, it is a case of strong



suspicion. The petitioner is in custody since 13.6.2019 and undertakes to cooperate in the trial. It is further submitted by learned counsel for the petitioner that the petitioner is a resident of different village and did not have knowledge about the pendency of this case.

The application for bail is opposed by learned A.P.P. for the State who submits that this case is of the year 2002, the petitioner absconded for 17 years.

Having heard learned counsel for the parties and taking into consideration the facts of the case especially the petitioner having absconded for 17 years together with the material that has transpired in course of investigation, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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