

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.37181 of 2020**

Arising Out of PS. Case No.-229 Year-1994 Thana- BAKHTIYARPUR District- Patna

KAMLESH YADAV S/o Late Lala Yadav R/o village- Telmar, P.S.- Harnaut,
District- Nalanda

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Gyanendra Kumar Singh, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 12-07-2021 Heard learned counsel for the petitioner and Ms. Anita Kumari, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail connection with B.K.P.(Bakhtiyarpur) P.S. Case No. 229/1994 registered for the offence under Section 396 of the Indian Penal Code.

As per the prosecution story, on 08.11.1994 while the informant was sleeping with his wife, heard the sound of *hulla* and came out of his room and saw 10-12 dacoits armed with country made pistols and knives in their hands. It is further alleged that one dacoit gave him knife blow which caused injury on his neck and shoulders. In the meantime another accused fired on his father and brother, thereafter they took away boxes containing cloths, ornaments, bank papers etc.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. The case is of the year 1994, petitioner is not named in the F.I.R. and he is in custody since 05.02.2020.

Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein this Court has found that the case is of the year 1994, charge-sheet was filed in the year 1999, the petitioner was absconding and has been brought in custody since 05.02.2020, considering the huge period for which he was absconding in this case and after about 21 years he has been arrested, this Court is not inclined to release the petitioner on bail.

The prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

