

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18563 of 2022

Arising Out of PS. Case No.-22 Year-1993 Thana- MATIHANI District- Begusarai

Shambhu Singh Son of Late Kailash Singh R/o Village- Ramdiri Tola- Labhar
Chak, P.S.- Matihani, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanket, Adv.

For the Opposite Party/s : Mr. Jagdher Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 08-09-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Matihani P.S. Case No. 22 of 1993 lodged under Sections 364,
302, 201, 420 and 34 of the I.P.C.

As per the prosecution case, the informant stated in
fardbeyan on 07.09.1993 that her husband, namely, Arun Singh
was in association of wrong persons. Upon pressure of the
family, he detached himself from the said circle and started
doing his own business. In the meantime, 5 named accused
persons including the present petitioner had visited to her house
at about 08:00 P.M and convinced him to come with them upon

which her husband became agree and told to the informant that he shall return soon after 2-3 days. An unknown person met with her and informed that her husband shall never return. The informant had claimed that the said named accused persons have killed and his body has been disappeared on their instance. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. His name has figured in this case by virtue of suspicion only. He further submits that he is in custody since 14.10.2022, charge sheet has already been filed in this case. He further submits that charge has already been framed in this case and evidence is going on. He has annexed the disposition of PW-1 (informant), by virtue of which he want to submit that there is no cogent material come against the present petitioner and, therefore, he may be released on bail.

Learned counsel for the State opposes the prayer for bail and submits that the present case in which the petitioner is apprehended is of 1993. From the address of the petitioner, it transpires that he is the resident of Matihani but he never secured his appearance in the said case. The process of 82 and 83 has been exhausted. Even then he has not appeared. Trial was bifurcated and it was concluded for other accused only, thereafter, he secured his appearance.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner, therefore, the bail petition of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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