

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44444 of 2021

Arising Out of PS. Case No.-245 Year-2011 Thana- CHAKIA District- East Champaran

UMESH RAI Son of Late Nathuni Rai Resident of Village - Ashwani
Baujariya, P.S.- Kathaiya, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 15-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 120B and 34 of the Indian Penal Code, section 27 of the Arms Act and sections 3 and 4 of the Explosive Substance Act.

As per the prosecution case, three accused persons are stated to have come on a motorcycle and as a result of the bomb exploded by two of them, the husband and the son of the informant were injured. There was also sound of firing. The son and the daughter-in-law of the informant died.

It is submitted by learned counsel for the petitioner that the F.I.R. was registered against unknown. The name of the petitioner transpired in course of investigation when he was



identified on the basis of the sketch map drawn by the expert. It is submitted that the petitioner is in custody since 26.11.2020 and investigation in the case has concluded.

The application for bail is opposed by learned learned A.P.P. for the State who submits that in an F.I.R. of the year 2011, although the name of the petitioner transpired in the year 2011 itself, however he continued to abscond for the next 9 years till he was taken into custody on 26.11.2020.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, 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.

Liberty is granted to the petitioner to renew his prayer for bail after six months if there is no substantial progress in the trial.

(Partha Sarthy, J)

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