

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48314 of 2021

Arising Out of PS. Case No.-182 Year-1999 Thana- MUNGER MUFFASIL District- Munger

DEBU @ DEVO @ DEVO SINGH S/o LATE RAMESHWAR SINGH R/o
VILLAGE-LAXMIPUR, BIND TOLI, P.S-MUFFASIL, DISTRICT-
MUNGER.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 11-03-2022 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 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, Debo Singh is said to have shot dead Ambika Mandal, Vishundeo Singh shot Kishundeo Sah and Balraj Singh shot the father of the informant leading to three deaths.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. On investigation the case was found to be false and final form was submitted against the petitioner, however differing with the final report the learned court below took cognizance in the case in the year 2008. On merits, it is submitted that there has been delay of ten days in lodging of the FIR, the petitioner was present in the *panchayati*



and the instant case has been lodged because of village rivalry. The manner of occurrence is other than what has been narrated in the FIR. The case of the petitioner stands on a similar footing to that of other co-accused who has been enlarged on bail. The petitioner is in custody since 11.6.2021.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and on perusal of the record, it transpires that in the case of the year 1999, accepting the date of cognizance as 2008, the petitioner continued to abscond for 13 years till he was arrested on 11.6.2021. In the FIR there is direct allegation against the petitioner of having shot dead Ambika Mandal.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the direct allegation against the petitioner together with the petitioner having absconded for 13 years, 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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