

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54420 of 2021

Arising Out of PS. Case No.-261 Year-2016 Thana- PUPRI District- Sitamarhi

MD. FAIYAZ S/O MD SAHEED SHEIKH R/O VILLAGE- RAMPUR,
KHURD, P.S.- PUPRI, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Advocate

For the Opposite Party/s : Mr. Anant Kumar 1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 06-05-2022 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, 363, 201 and 120B of the Indian Penal Code.

As per the prosecution case, the husband of the informant who had gone out for work did not return and was not to be found inspite of search.

It is submitted by learned counsel for the petitioner that the FIR was registered against unknown. The petitioner happens to be the son of the informant as also of the deceased. In course of investigation, the mother of the petitioner ie the informant as also another brother were made accused and they were finally acquitted in the trial. The judgment is Annexure-3



to this petition. The petitioner having gone out to earn his livelihood could not surrender. As soon as he learnt about the pendency of the case he surrendered. He is in custody since 12.4.2021.

A report was called for from the learned trial court and as per the report received contained in letter dated 21.4.2022, the case has been committed to the court of sessions.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, specially the petitioner having absconded in a case of the year 2016 resulting in his trial being split, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Liberty is granted to the petitioner to renew his prayer for bail after framing of charge.

(Partha Sarthy, J)

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