

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67722 of 2022

Arising Out of PS. Case No.-208 Year-2003 Thana- BIKRAM District- Patna

Sanjay Singh S/o Late Chandrama Singh R/o Village- Berar, P.S.- Rani Talab,
Distt- Patna(Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Pandey, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-02-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, within a period of four weeks from today.

Heard Mr. Arun Kumar Pandey, learned counsel for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in connection with Bikram P.S. Case No. 208 of 2003 giving rise to Sessions Trial No.93A of 2022, registered for the offences punishable under Sections 376(2)(g), 302, 201, 506/34 of the Indian Penal Code.

The prosecution case is based on the fardbeyan of the informant alleging therein that on 09.06.2003, all the accused persons named in FIR, including the petitioner, entered into the



house of the informant and committed rape and murder of his wife and after pouring kerosene, set the dead body on fire.

Learned counsel appearing on behalf of the petitioner submits that the occurrence took place on 09.06.2003, 10.06.2003 and 12.06.2003 respectively, but surprisingly the information was given to the police on 09.10.2003 after a delay of almost four months which makes the entire case suspicious, apart from the fact that the informant was examined in Sessions Trial No.93 of 2022 in connection with other co-accused persons, wherein he has been declared hostile and the copy of which has been brought on record by way of Annexure-3 series to the bail application. He lastly submits that now the petitioner is in custody Since 06.09.2022.

On the other hand learned APP for the State vehemently opposes the bail application and submits that apart from the fact that the criminal antecedent of the petitioner there is specific allegation of rape and murder against the petitioner and other co-accused persons.

Regard being had to the submissions made on behalf of the parties and considering the specific nature of accusation and the fact that the petitioner remained absconded for about 19 years, this Court is not inclined to enlarge the petitioner on bail.



It is expected that the learned Trial court will take all the endeavour to conclude the trial as early as possible, preferably within a period of nine months.

(Harish Kumar, J)

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