

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1080 of 2025

Arising Out of PS. Case No.-125 Year-1998 Thana- PALIGANJ District- Patna

Preman Kahar @ Prem Kahar @ Prem Das Ram Son of Shiv Prasad Kahar
Resident of Vill- Bela, P.S.- Paliganj, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate
Mr. Sunil Kumar, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-04-2025

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with S.T no.453 of 2012, arising out of Paliganj P.S Case no.125 of 1998, registered under sections 302, 307, 147, 148, 149, 323, 324 and 448 of the Indian Penal Code and section 17 of the Criminal Law (Amendment) Act.

3. The FIR from which the instant application for bail arises was registered on 25.10.1998. The petitioner having absconded for more a decade was finally granted bail vide order dated 27.8.2012 passed in Cr. Misc. no.24271 of 2012. Having been enlarged on bail, though the petitioner attended the Court for sometime, he once again absconded and his bail bond was



cancelled on 26.2.2016. Thereafter, the petitioner has surrendered and has been taken into custody only on 20.11.2024.

4. Learned counsel for the petitioner submits that the petitioner was falsely implicated in the case. He pursued his trial from 27.8.2012 when he was enlarged on bail till the year 2016. He undertakes to cooperate in the trial and to abide by all the conditions which may be laid by this Court for his release on bail.

5. The application for bail is opposed by learned A.P.P for the State.

6. A report was called for from the learned trial Court. As per the report received, charge was framed against the petitioner on 31.8.2012. Till date three witnesses have been examined on behalf of the prosecution and the trial is likely to conclude within six months.

7. Having heard learned counsel for the parties and taking into consideration that the FIR in question which was registered under sections 307, 302 and other sections of the Indian Penal Code in the year 1998, the petitioner absconded for more than 10 years till he was taken into custody and on being enlarged on bail in the year 2012, the petitioner once again



absconded for more than 8 years when he has been taken into custody on 20.11.2024 together with the fact that the examination of prosecution witnesses have commenced in the learned trial Court and the trial is likely to conclude within six months, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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