

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9370 of 2015

Arising Out of PS.Case No. -26 Year- 2014 Thana -BHOJPUR GRP CASE District- BHOJPUR

Md. Sadam Hussain, son of Md. Pappu Hashmi, resident of Village - Dhobia Muhalla Bihiya, Police Station - Bihiya, District - Bhojpur , Ara (Bihar).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 23-04-2015 Heard both sides.

The petitioner seeks bail in a case under Section 395 of the Indian Penal Code.

The informant alleged that dacoity was committed in a passenger train no. 511 and the dacoits started fleeing away near Varuna Station but the petitioner was apprehended on chase and from his possession, Rs. 90,000/- was recovered. One Rajan Kumar was also apprehended but nothing was recovered from his possession. On the basis of the disclosure made by the petitioner, name of other accused persons, namely, Anwar Hussain, Chhotelal, Krishna Lala and Karan figured in the case. Chhotelal, Krishna Lala and Rajan Kumar have already been enlarged on bail. It is submitted that the informant himself stated that Rs. 7,50,000/- was looted which was kept in a black bag but only Rs.

90,000/- was recovered and the remaining amount is yet to be recovered. The petitioner is working in a wholesale readymade shop and he was coming after collecting money.

It appears that the informant himself identified the petitioner, on being apprehended, as one of the accused persons who committed dacoity.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

Since the petitioner is in jail for about a year, the trial court is directed to expedite the trial and conclude the same within nine months from the date of receipt / production of a copy of this order.

(Prabhat Kumar Jha, J)

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