

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43398 of 2015

Arising out of PS.Case No. -115 Year- 2015 Thana -DAUDNAGAR District- AURANGABAD

Md. Shamim @ Rinki, Son of Md. Aklim, Resident of Village - Shekhbigha, P.S.- Baroon, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.47773 of 2015

Arising Out of PS.Case No. -115 Year- 2015 Thana -DAUDNAGAR District- AURANGABAD

Mumtaz @ Bablu @ Md. Mumtaz S/o Mobinuddin , resident of Village- Shekh Bigha, P.S.- Barun, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.43398 of 2015)

For the Petitioner : Mr. Bikramdeo Singh, Advocate.

For the Opposite Party : Mr. Uday Chandra Pd.(App)

(In Cr.Misc. No.47773 of 2015)

For the Petitioner : Mr. Krishna Pd. Singh, Sr. Advocate.

For the Opposite Party : Mr. Ajay Kumar 2(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 10-11-2015 Heard learned counsels for the petitioners and learned counsel for the State

The petitioners are languishing in custody since 11.05.2015 and 06.06.2015 respectively in connection with Daudnagar P.S. Case No. 115 of 2015 for the offences instituted

under Sections 392 of the IPC.

The prosecution story, in brief, is that Firoz Alam, the informant of this case, is a shop contractor of Hindustan Construction Ltd. It is stated that on 08.05.2015 at about 11.50 hours he has withdrawn Rs. 11,10,000/- and they proceeded for branch office at Sone Bridge Daudnagar alongwith his cousin brother Umar Shamsad and Supervisor Ajay Singh on a bike, when they reached near Imambara at about 12.15 a black colour passion pro motor bike having three persons boarding came from behind and stopped his bike showing the pistol and one of the miscreants has snatched his bag in which cash Rs. 11,10,000/- and cheque book of P.N.B. and out of which some cheque book were signed and other documents and digital camera. The details of miscreants have been given by the informant.

It has been submitted that the petitioner Md. Shamim @ Rinki has got no criminal antecedent. The petitioners are in custody since 11.05.2015 and 06.06.2015 respectively and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioners. The petitioners are not named in the FIR. The only material is the confession before the police.

On behalf of the State it has been submitted that the

petitioners have been identified in course of TIP.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioners. The same is rejected in Daudnagar P.S. Case No. 115/2015, pending in the court of the learned S.D.J.M., Aurangabad. Anyhow, the Trial Court is directed to take all necessary steps to expedite the trial and conclude the same preferably within a period of nine months from the date of receipt/production of copy of this order.

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(Sudhir Singh, J)