

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44893 of 2014

Arising Out of PS. Case No. -65 Year- 2014 Thana -KOTWA District- EAST CHAMPARAN
(MOTIHARI)

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Bachhu Mahto son of Khublal Mahto, Resident of Village- Siswasob, P.O.-
Kalyanpur, District- East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III

For the Opposite Party/s : Mr. Satyendra Nr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

3 10-04-2015

Heard the parties.

The petitioner seeks bail in a criminal prosecution registered under Section 395 of the Indian Penal Code.

It is submitted that the petitioner is not named in the F.I.R. vide Annexure-1 as an accused. It is further contended that the looted articles, which are said to have been recovered from the house of the petitioner, were not put on T.I. Parade and he is in judicial custody since 25.04.2014.

Learned Addl. P.P. appearing for the State has opposed the prayer for bail and pointed out that this is a case of road dacoity in which a loaded truck was looted by the miscreants and from the house of the petitioner more than 100 bags of looted flour were recovered.

Taking into consideration the fact that huge quantity of looted articles are alleged to have been recovered from the house of the petitioner, this Court is not inclined to accede to the prayer made on behalf of the petitioner for grant of bail at this stage. Accordingly, the prayer for bail of the petitioner in connection with Kotwa P.S. Case No. 65 of 2014 pending in the court of

learned Judicial Magistrate, 1st Class Sadar at Motihari, East Champaran is rejected for the present.

Learned Magistrate, in seisin of the case, is directed to commit the case of the petitioner to the court of Sessions, if not already committed, within a period of one month from the date of receipt/ production of a copy of this order. On such commitment, endeavours shall be made to conclude the trial of the petitioner at an early date.

However, if the trial of the petitioner is not concluded within one year from the date of framing of charge, then he shall be at liberty to renew his prayer for bail.

(Birendra Prasad Verma, J)

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