

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3948 of 2015

Arising Out of PS. Case No. -75 Year- 2013 Thana -BANIAPUR District- SARAN

Sudama Kumar Rai @ Sudama Kumar @ Sudama Rai, S/o Late Jharilal Rai, resident of village- Rampur Bindalal Ke Mathiya, P.S.- Ekma, Distt- Saran at Chapra

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rajani Kumari

For the Opposite Party/s : Md. Sufiyan (APP)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 20-03-2015 Heard both sides.

The petitioner seeks bail in a case under Sections 395/397 of the Indian Penal Code. Later on, Section 412 of the Indian Penal Code was added.

The Branch Manager of Punjab National Bank, Janta Bazar Branch alleged that one Bolero overtook the cash van of the Bank and 9-10 persons intercepted the vehicle and looted away more than rupees one crore.

It is submitted that the petitioner is not named in the F.I.R. The petitioner is said to have confessed his guilt and disclosed the name of other accused persons and from the possession of the petitioner, besides other articles, Rs. 4,14,000/- were recovered. It is further submitted that the recovered money does not bear any sign that the same money was looted one. The

petitioner was not put on T.I.P. and the petitioner is in jail for about two years.

It appears that the petitioner was apprehended after the money was looted from the cash van of the Bank and he confessed his guilt. He described every minute of dacoity and in pursuance thereof, Rs. 4,14,000/-, besides fixed deposit certificates, LIC policy, PAN card etc., were recovered from the possession of the petitioner. The case relates to Bank dacoity. Hence, I am not inclined to enlarge the petitioner on bail in Baniyapur P.S. Case No. 75/2013. Accordingly, the same is rejected.

The trial court is directed to expedite the trial and conclude the same within one year from the date of receipt / production of this order.

If the trial is not concluded within the stipulated period, the petitioner may renew his prayer for bail firstly in the trial court itself.

(Prabhat Kumar Jha, J)

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