

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43067 of 2015

Arising Out of PS.Case No. -28 Year- 2015 Thana -SIWAN GRP CASE District- SIWAN

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Guddu @ Safikul Hasan @ Safikul son of Sakir Ali, Resident of Village-
Batrauli Bazar, P.S.- Kuber Asthan, District- Kushinagar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Jai Kishore Sharma

For the Opposite Party : Mr. S.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 24-11-2015 Heard the counsel for the petitioner and counsel for the

State.

The petitioner is languishing in jail since 06.07.2015 in
a case instituted under Sections 328 and 379 of the Indian Penal
Code in connection with Siwan Rail P.S.Case No.28 of 2015
pending in the Court of learned Sessions Judge, Siwan.

As per prosecution case, the main accusation against
the petitioner is of giving narcotic substance to the informant, in
order to commit the offence of theft. Thereafter, committed the
theft of the articles kept in the bag of the informant. Some tablets
which are alleged to be narcotics substance were also recovered
from the possession of the petitioner.

It has been submitted on behalf of the petitioner that

the petitioner is in custody since 06.07.2015. Chargesheet has been submitted in the case. Petitioner has falsely been implicated in the present case. There is no allegation of tampering of evidence against the petitioner. As per the prosecution case, 19 ativan tablets have been recovered from the possession of the petitioner.

On behalf of the State, it has been submitted that the petitioner is a habitual offender and he is accused in as many as 14 cases of the similar nature.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the above named petitioner, same is dismissed.

Anyhow, the trial court is directed to take all necessary steps to conclude the trial within a period of nine months from the date of receipt/production of a copy of this order.

(Sudhir Singh, J)

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