

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3565 of 2016

Arising Out of PS.Case No. -199 Year- 2014 Thana -GAURICHAK District- PATNA

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1. Sikandar Kumar Son of Late Shivendra Prasad, Resident of Village - Parwalpur, P.S. Parwalpur, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Kanhaiya Kishore(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 12-02-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offence punishable under section 395 of the I.P.C

The petitioner is not named in the FIR, his name transpired in the confessional statement of co-accused and thereafter the petitioner was apprehended and he was put on the test identification parade and in the test identification parade the informant identified the petitioner stating that he administered injection causing him senseless and fled away with loaded truck.

Submission is of false implication and that nothing has been recovered from possession of the petitioner, he is in custody since 14.08.2014, only the informant has identified the

petitioner and other co-accused, namely, Pinku Kumar, Mantu Kumar and Rajesh Kumar have already been allowed bail by the learned court below itself and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that from the impugned order it reveals that the petitioner was identified by the informant.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious in nature, this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Gaurichak P.S. Case No. 199 of 2014 pending in the court of A.C.J.M. Patna City, District- Patna.

However, considering the detention of the petitioner the trial court is directed to expedite the trial and to conclude the same preferably within six months, failing which the petitioner may be at liberty to renew his prayer for bail, if he will be found at no fault.

(Jitendra Mohan Sharma, J)

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