

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12444 of 2016

Arising Out of PS.Case No. -20 Year- 2015 Thana -CHANPATIYA District-
WESTCHAMPARAN(BETTIAH)

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1. Irshad Alam, S/O Idrish Mian, Resident of Mohalla- Shivganj, Ward No. 7, Narkatiaganj, P.S.- Shikarpur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Upendra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

4 05-10-2016

Heard both sides.

The petitioner seeks bail in Chanpatiya P.S. case No. 20 of 2015 under Section 394, 307, 412, 413 of the Indian Penal Code and under Section 27 of the Arms Act.

The informant alleged that his brother, Jitendra Kumar, plies auto rickshaw on hire. Two persons hired the auto rickshaw for going to Maria village but in between all the four accused persons tied Jitendra Kumar and fled away with the auto rickshaw. The petitioner and other accused persons were apprehended while fleeing away with the auto rickshaw.

The learned counsel for the petitioner submits that the prayer of petitioner for bail was earlier rejected by this court



vide order passed in Cr. Misc. No. 21399 of 2015 with a direction to the trial court to expedite the trial and conclude the same within six months but the trial has not yet been concluded. The petitioner is in custody for about more than one and half years. Other accused persons, namely, Rabindra Yadav and Dhananjay Choudhary, have already been enlarged on bail by a coordinate bench of this court.

Considering the facts aforesaid and the fact that petitioner is in jail for more than one and half years and other accused persons have already been enlarged on bail, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran at Bettiah in Chanpatiya P.S. Case No. 20 of 2015.

(Prabhat Kumar Jha, J)

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