

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20262 of 2016

Arising Out of PS.Case No. -178 Year- 2015 Thana -BARAUNI District- BEGUSARAI

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Manoj Yadav, son of Late Ramchandra Yadav, Resident of Village- Kasha,
P.S. Barauni, District-Begusarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Raj Kumar Sinha, Advocate.

For the Opposite Party : Mr. Raj Kishore Singh(APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 18-07-2016

Heard learned counsel for the petitioner and learned

counsel for the State.

The petitioner is languishing in custody in connection with Barauni P.S. Case No. 178 of 2015 bearing S.T. No. 39 of 2016 for the offences instituted under Sections 395 and 412 of the Indian Penal Code.

The prosecution story in brief, is that on 18/19.05.2015 at 11.00 A.M., when the informant was sleeping in his house of Chimni, at 12.20 hours in the night, some persons knocked him, he woke up and found six persons having armed with pistol and one of them on the point of pistol demanded key of Godrej and they all took away Rs. 85,000/- and other co-accused persons were started searching his drawer and at last the petitioner along with Prem Chand Bind were identified and both of them were armed with pistol and at the time of returning, one of them fired towards his Chimni. After some time, on information, the officer-in-charge of

the police station arrived there.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.05.2015. The charge sheet has been submitted in the present case. There is no allegation of tampering with the evidence against the petitioner. The petitioner is next door neighbour of the informant. It is further submitted that due to money transaction, there is admitted dispute between the parties. Hence, he has falsely been made accused in the present case.

On behalf of the state it has been submitted that the petitioner is named in the F.I.R. There is recovery of Rs. 12,000/- from the conscious possession of the petitioner. As many as four criminal cases are pending against the petitioner.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected in connection with Barauni P.S. Case No. 178 of 2015 bearing S.T. No. 39 of 2016, pending in the court of learned Additional Sessions Judge-IV, Begusarai. Anyhow, the trial court is directed to take all necessary steps to conclude the trial preferably within a period of one year from the date of receipt/production of this order.

(Sudhir Singh, J.)

Amit/-

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