

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22836 of 2016

Arising Out of PS.Case No. -44 Year- 2014 Thana -UPHARA District- AURANGABAD

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1. BANKATESH SHARMA @ BENKATESH SHARMA son of Late Dharmdutta Sharma, resident of Village- Gaini, Police Station- Upahara, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Punjab National Bank, Branch Manager, Mohiuddinpur, Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Siyaram Shani
For the State : Mr. A.L.Pandit(App)
For the PNB Mr. Kumar Priya Ranjan

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

04/ 21.12.2016 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State and also learned counsel for the Bank.

Earlier prayer for bail of the petitioner was rejected by this court taking note of this fact that looted article was recovered from his house and the petitioner does have criminal antecedent of several cases.

Trial court has reported that production warrant has been issued against the petitioner but he has not been produced before the trial court as yet and due to his non-production, case is still pending for production of the petitioner.

It is a serious case of bank dacoity and looted articles are said to have been recovered from the house of the petitioner, therefore,



I am not inclined to release the petitioner on bail and hence, his prayer for bail in connection with Upahara P.S. case no. 44/2014 is, again, rejected.

Trial court is directed to take steps against jail authorities, if they fail to produce the petitioner before trial court by next date of receipt of this order and after that proceed with the trial of the petitioner even by separating his case from the case of other accused, if the trial court feels any difficulty to proceed with the trial of the petitioner.

However, it is made clear that if the trial of the petitioner is not concluded within six months from the date of receipt/production of a copy of this order, petitioner may renew his prayer for bail before the learned trial court itself.

Let a copy of this order be sent to Superintendent of Police, Aurangabad as well as jail authorities, Aurangabad for needful.

Shahid

(Hemant Kumar Srivastava,J)

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