

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3455 of 2016

Arising Out of PS.Case No. -284 Year- 2014 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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1. Oshiyar Sahani @ Oshihar Sahani son of Late Chandraman Sahni
resident of village Kalyanpur Madhubani, P.O. - Akshabar Pipra, P.S. -
Sidhwalia, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anang Mohan Sinha

For the Opposite Party/s : Mr. Madhuri Lata(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

5 05-04-2016 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 offences
punishable under sections 394, 411 and 413 of the I.P.C

The First Information Report is against three unknown
but during investigation the looted Bolero was recovered from the
door of the petitioner and the petitioner remained absconding and
surrendered on 30.09.2015.

Submission is of false implication and that the
petitioner has got no criminal antecedent, he has been made victim
of the circumstances, the said Bolero was not recovered from the
conscious possession of the petitioner rather it was at the door of

the petitioner, the petitioner has not been put on the test identification parade and as such he deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that in view of recovery of the looted vehicle from the door of the petitioner he does not deserve bail.

In the facts and circumstances as stated above, considering the alleged recovery, at present I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Motihari Town P.S. Case No. 284 of 2014 pending in the court of the C.J.M. East Champaran at Motihari.

However, considering detention of the petitioner, let the trial be expedited and concluded within six months.

(Jitendra Mohan Sharma, J)

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