

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31651 of 2016

Arising Out of PS.Case No. -24 Year- 2004 Thana -RIGA District- SITAMARHI

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Jai Mangal Thakur son of Late Kuldip Thakur, resident of Village-
Champapur, P.S. Patahi, District- East Champaran (Bihar).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Kr Singh No. 6

For the Opposite Party : Mr. Sri Atul Chandra

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

ORAL ORDER

3 17-09-2016 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 147, 148, 149, 307, 324, 326, 452, 427, 380 and 302 of the I.P.C, section 27 of the Arms Act, section 3 of the Explosive Substance Act and section 17 of the C.L.A. Act.

Allegedly, about 100 extremists armed with deadly weapons came at the house of the informant, opened indiscriminate firing, demolished his house by Dynamites, killed Ratnesh Singh, the brother of the informant, and fled away. They claim themselves as the member of M.C.C. During investigation name of petitioner and others transpired having connection with M.C.C. and having criminal antecedents.

Submission is of false implication and that the

petitioner is not named in the FIR, only on the basis that he is active member of the M.C.C. he has been named in this case along with others, there is no legal and cogent material against the petitioner, it is true that the petitioner has got criminal antecedent but on that basis he cannot be made accused in all other cases without any cogent and legal evidence, charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. after going through the case diary does not point out any other material against the petitioner.

In the facts and circumstances as stated above, considering that the petitioner has got criminal antecedent and he is involved in twenty more cases and as such at this stage I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Riga P.S. Case No. 24 of 2004 pending in the court of C.J.M. Sitamarhi.

However, the learned trial court is directed to expedite the trial and to conclude the same as early as possible preferably within a period of nine months from the date of receipt/production of a copy of this order.

(Jitendra Mohan Sharma, J)

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