

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4235 of 2016

Arising Out of PS.Case No. -490 Year- 2015 Thana -GAYA KOTWALI District- GAYA

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1. Roubin Akondo @ Robiul Aknd Son of Ruhul Amin Akondo Resident of Village- Badarpasha, Police station -Rajaur, District Madaripur, (Bangladesh)
2. Saddam Byapari @Saddam son of Siraj Byapari Resident of Village- Hasan Kandi, Police Station Rajaus, District Madaripur (Bangladesh)

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan , APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 28-03-2016 Heard the learned counsel for the petitioners and the learned A.P.P. representing the State.

The petitioners seek bail in connection with Kotwali P.S. Case No. 490 of 2015 registered for the offences punishable under Sections 419, 420, 467 and 468 of the Indian Penal Code and Section 12(1-b) of the Passport Act.

Allegedly, the petitioners were residing at Gaya without giving information to the concerned department though they were resident of Bangladesh and further, from their possession, several incriminating articles including Voter Identity Card and photo of Rinkki Devi, wife of Sohedil Vishkarma and SIM were recovered. Further, the petitioners did

not produce the original passport.

Submission is of false implication and that only on suspicion, the petitioners are suffering in custody since 16.11.2015, they were having passport and visa but the original passport were taken away by one Tajul and due to mistake, they have not informed regarding their stay in the concerned department, and as such, the petitioners deserve sympathetic consideration, to which the learned APP seriously opposes by submitting that they have purchased SIM on forged ID Card and they were staying without informing the concerned department.

In the facts and circumstances stated above, considering the allegation and alleged recovery from possession of the petitioners, at this stage, this Court is not inclined to enlarge the petitioners on bail and accordingly, their such prayer stands rejected in connection with Kotwali P.S. Case No. 490 of 2015, pending in the court of learned Chief Judicial Magistrate, Gaya.

However, the trial court is directed to expedite the trial and to conclude the same ***preferably within six months*** after taking the same on the day to day basis.

(Jitendra Mohan Sharma, J.)

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