

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7104 of 2016

Arising Out of PS.Case No. -374 Year- 2015 Thana -GORAUL District- VAISHALI(HAJIPUR)

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1. Amod Kumar Paswan @ Amod Kr. Singh S/o Rambilash Paswan, R/o
Village Kaila Kala, P.O. Salimpur Dumariya, Distt. Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate
For the Opposite Party/s : Mr. Sucheta Yadav (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 20-04-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Goraul
(Kathara (O.P.) P.S. Case No. 374/2015 registered for the offences
punishable under Sections 413 and 414/34 of the Indian Penal
Code.

Allegedly, during raid from the house of co-accused
Md. Aftab one motorcycle was recovered and on the basis of his
confession again eight motorcycles were recovered kept beneath
husk near the canal and further the house of Rahmat was raided
and from there also one motorcycle was recovered and then the
house of the petitioner was raided and from the house of the
petitioner also one Hero Honda Splendor Plus motorcycle was
recovered for which the petitioner was having no paper.

Submission is of false implication and that the

petitioner has been made victim of the circumstances, nothing has been recovered from conscious possession of the petitioner, the alleged search and seizure lists are manufactured one as the same bears P.S. case number, regarding the recovery of motorcycle from the house of the petitioner there is no theft report and, as such, the petitioner who is suffering in custody since 28.12.2015 deserves sympathetic consideration to which the learned A.P.P. opposes by submitting that huge number of theft motorcycles stolen from different places have been recovered and the petitioner is the active member of the gang.

In the facts and circumstances stated above, at present I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Goraul (Kathara (O.P.) P.S. Case No. 374/2015 pending in the court of learned C.J.M., Vaishali at Hajipur.

However, the trial court is directed to expedite the trial and conclude the same as early as possible, preferably within six months failing which the petitioner, if at no fault, will be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J)

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