

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12383 of 2016

Arising Out of PS.Case No. -318 Year- 2015 Thana -SHERGHATI District- GAYA

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1. Ramjee Manjhi, Son of Mahabir Manjhi, Resident of Village-
Khapanchak (Sosari), P.S.- Gurua, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rashid Izhar

For the Opposite Party/s : Mr. Harendra Prasad(App)

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

ORAL ORDER

4 19-05-2016

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 395, 412 and 414 of the I.P.C

Allegedly, Truck No. WB-37C/7996 loaded with the
plastic tables and chairs of Supriya Company were looted away
after confining the driver-informant and further the driver was
kept in a house, the owner of the said house was wearing a T-shirt
of Bol Bum whereon Bihari Paswan of village- Baluhara Gurua
was written. During investigation Bihari Paswan was apprehended
and that T-shirt was recovered from his possession and on the
basis of his confessional statement other co-accused including the
petitioner were apprehended and from the house of the petitioner
looted plastic tables and chairs of Supriya Company were

recovered.

Submission is of false implication and that the confessional statement of the co-accused made before the police has got no evidentiary value in the eye of law, the alleged search and seizure were not made as per the provision of law, there is no signature of the petitioner on the seizure list, and 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. seriously opposes.

In the facts and circumstances as stated above, considering the alleged recovery of the looted articles from the house of the petitioner which he has taken on rent, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Sherghati (Dobi) P.S. Case No. 318 of 2015/ G.R. No. 1810 of 2015 pending in the court of A.C.J.M. Sherghati, Gaya.

However, let the trial be expedited and concluded 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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