

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17452 of 2016

Arising Out of PS.Case No. -582 Year- 2014 Thana -BANKA District- BANKA

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Akasai Hembrum @ Akasai Hembram son of Niman Hembram, resident of
village- Simani Jore, P.S.- Sikaripara, District- Dumka

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Zainul Abedin (App)

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

3 27-06-2016

Heard learned counsel for the petitioner and

learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Banka (Barahat) P.S. case no. 582/2014 registered for the
offences punishable under Sections 302, 201/34 of Indian
Penal Code.

Allegedly, Shibu Mahato, the driver of
truck no. BR 09M-3996 was found dead in the truck
having injury on his mouth and further wheel wrench was
also having blood stains and the helper Neeraj Singh @
Mulla and another helper of Sikaripada, Jharkhand had



fled away who were with the driver after taking away an amount of Rs. 20,000/- and mobile, during investigation on the basis of call detail report of the mobile of the deceased, petitioner was apprehended and from his possession SIM used in the mobile of deceased was recovered and further petitioner confessed his guilt also.

Submission is of false implication and that only on suspicion, the petitioner has been implicated, nothing has been recovered from his possession, he has been made victim of the circumstances, without any legal and tangible material, the petitioner is suffering in custody since 14.09.2015.

Learned A.P.P. opposes the prayer by pointing out paragraphs 111 and 122 of the case diary.

In the facts and circumstances stated above, considering the materials collected during investigation against the petitioner, I am not inclined to enlarge the petitioner on bail and as such, the prayer stands rejected. However, considering the detention of the petitioner, let

the trial be expedited and concluded as early as possible preferably within nine months from the date of receipt/ production of a copy of this order, failing which, the petitioner will be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J.)

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