

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56248 of 2015

Arising Out of PS.Case No. -9 Year- 2010 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

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1. Sarvesh Shukla, Son of Ram Padarath Shukla, Resident of Village-
Titidha, P.S.- Rajapakar, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. M.Rab(App)

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

5 11-04-2016 Supplementary affidavit has been filed on behalf of

the petitioner disclosing that the petitioner has got criminal
antecedent and he was involved in two more cases but in both the
cases he is on bail. Let it be kept on the record.

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 394, 302 and 120 B of the I.P.C and
section 27 of the Arms Act.

Allegedly, three unknown miscreants shot Praveen
Kumar Singh dead and snatched his bag containing cash of Rs.
11,00,000/-. During investigation on the basis of the confessional
statement of co-accused Sonu Kumar @ Prashant Kumar amount
of Rs. 60,000/- was recovered from possession of Sonu and the

amount of Rs. 3,50,000/- was recovered from possession of the petitioner.

Submission is of false implication and that the petitioner is in custody since 20.11.2013, he has not been put on the test identification parade, co-accused Sunil Kumar Singh @ Sunil Kumar has already been allowed bail vide Cr. Misc. No. 26409 of 2013, without any legal and tangible material the petitioner is in custody and as such he deserves sympathetic consideration, to which the learned A.P.P. opposes by pointing out the alleged recovery.

In the facts and circumstances as stated above, considering the alleged recovery from possession of the petitioner and the criminal antecedent of the petitioner, I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Sessions Trial No. 565 of 2013 arising out of Bhagwanpur P.S. Case No. 09 of 2010 pending in the court of the Additional District Judge-5, Vaishali at Hajipur.

However, considering detention of the petitioner; let the trial be expedited.

(Jitendra Mohan Sharma, J)

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