

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54980 of 2016

Arising Out of PS.Case No. -90 Year- 2016 Thana -DEHRI TOWN District- SASARAM
(ROHTAS)

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1. Sethee Rajwar, S/o Shri Brahmdeo Rajwar, R/o Village- New Sidhauri,
Boaring, P.S. Dehri, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh, Advocate

For the Opposite Party/s : Mr. Smt. Madhuri Lata, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The application is for grant of bail for the offence
under Sections 457 and 380 of the Indian Penal Code.

The petitioner is not named in the First Information
Report but the allegation against the petitioner is that he had been
named in the confessional statement of the co-accused and was
arrested by the Police and thereafter, the recovery of stolen articles
was recovered from the possession of the petitioner, which has
been identified also by the victim.

It has been submitted on behalf of the petitioner that
he is not named in the First Information Report but later on, he has
been arrested by the Police and though there is recovery from the



possession of the petitioner but he is in custody for more than four months and the other accused persons have already been granted privilege of bail by the lower court itself.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that there is recovery from the possession of the petitioner, as such, the case of the petitioner is different from the other accused persons. It has also been pointed out by learned A.P.P. that the petitioner has criminal antecedent.

In view of the aforesaid facts and circumstances, as stated above, at present I am not inclined to grant bail to the petitioner but as also the fact the petitioner has remained in custody for about four months, learned court below is directed to expedite the trial of the case and frame the charge against the petitioner and, thereafter, after framing the charge, the petitioner shall be released on bail to the satisfaction of the court.

With this observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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