

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24761 of 2016

Arising Out of PS.Case No. -445 Year- 2015 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

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Ashok Prasad @ Ashok Bhagat, son of Ram Nath Bhagat, resident of
village-Koilahara Mah, Police Station-Madhuban, District-East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Kumar, Advocate

For the Opposite Party : Mr. Rajendra Prasad Nat (App)

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

4 14-07-2016

Heard learned Counsel for the petitioner and learned

counsel for the State.

Allegedly, unknown six dacoits committed dacoity in
North Bihar Gramin Bank Branch, Govindpur and took away cash of
Rs. 3,36,448/- and further damaged C.C.T.V. camera also. During
investigation, on the basis of confessional statement of co-accused
Kayamuddin @ Laddu and Ravi Raj, the name of the petitioner
transpires and co-accused Prince Patel confessing his guilt also stated
the name of the petitioner and from possession of Kayamuddin @
Laddu, amount of Rs.12,500/-, from possession of Chhotu also some
looted amount were recovered. Similarly from possession of Ram Kr.
Patel @ Baba, amount of Rs. 40,000/- was recovered, from possession
of Prince Patel also, amount of Rs. 32,000/- was recovered besides
mobile.

Submission is of false implication and that nothing has been recovered from possession of the petitioner, he is in custody since 12.02.2016 and he has not been put on test identification parade, besides confessional statement and criminal antecedent there is nothing against the petitioner and as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer for bail by submitting that on the basis of confessional statement of co-accused, parts of the looted amount were recovered from possession of other co-accused and the petitioner has got criminal antecedent as he is involved in three more cases vide para 78 of the case diary though he has disclosed only about two cases.

In the facts and circumstances stated above, considering the materials as stated above and further the criminal antecedent of the petitioner, at present I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected. However, let the trial be expedited and concluded as early as possible, preferably within six months from the date of receipt/ production of a copy of this order, failing which, the petitioner, if at no fault, may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J.)

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