

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9908 of 2016

Arising Out of PS.Case No. -183 Year- 2015 Thana -AIRPORT District- PATNA

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1. Zaid Anwar @ Md. Zaid Anwar son of Kaish Anwar, resident of
Mohalla- Gulistan, Naya Tola, Police Staton- Phulwari, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay

For the Opposite Party/s : Mr. Sanjay Kumar Pandey (App)

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

5 02-05-2016

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 392 and 411 of the I.P.C

Allegedly, three miscreants fled away with the Bolero
vehicle having registration no. BRO7PA 2451 after touching pistol
to the informant- driver and also took away his mobile and in the
vehicle there was paper also. During investigation the petitioner
was apprehended, he confessed his guilt, from possession of the
petitioner Photostat copy of the Insurance and the owner book of
that Bolero vehicle were recovered and further Bolero vehicle was
recovered from the garage of co-accused Islam @ Nata.

Submission is of false implication and that the
petitioner is in custody since 24.12.2015 but he has not been put
on the test identification parade, nothing has been recovered from

his conscious possession, the Photostat copy of the owner book and the Insurance were given by the co-accused to the petitioner and without any legal and tangible material the petitioner is suffering in custody.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner has got criminal antecedent also as he is involved in Gardanibagh P.S. Case No. 438 of 2015 registered under sections 399 and 402 of the I.P.C and sections 25 (1-B) A, 26 and 35 of the Arms Act.

In the facts and circumstances as stated above, considering the alleged recovery from the conscious possession of the petitioner and further his criminal antecedent, at present I am not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Hawaii Adda P.S. Case No. 183 of 2015 pending in the court of Smt. Seema Kumari, J.M. 1st Class, Patna.

However, let the trial be expedited and concluded preferably within a period of six months from the date of receipt/ production of a copy of this order, failing which the petitioner, if at no fault, may renew his prayer for bail.

Abhay/-

(Jitendra Mohan Sharma, J)

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