

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15837 of 2016

Arising Out of PS.Case No. -95 Year- 2013 Thana -SONBERSA District- SITAMARHI

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1. Rakesh Das S/o Late Dukha Das Resident of Village - Matiar Khurd, P.S.
- Sahiyara, District - Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. A.A.Khan (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 22-06-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Sonbarsa
P.S. Case No. 95 of 2013 registered for the offence punishable
under Section 392 of the Indian Penal Code.

Allegedly, four miscreants snatched an amount of Rs.
10,000/-, mobile and motorcycle from the informant. During
investigation, the name of the petitioner transpired in the statement
of some of the witnesses and also in the confessional statement of
Bigu Paswan and further the looted motorcycle has been recovered
from that Bigu Paswan.

Submission is of false implication and that nothing has
been recovered from conscious possession of the petitioner, the

alleged confessional statement of co-accused made before the police, has got no evidentiary value in the eye of law and without any material, the petitioner is suffering in custody since 26.05.2014 to which the learned APP opposes by pointing out the statement of the witnesses, namely, Bhola Prasad, Suresh Bhagat and Dinesh Baitha who have named the petitioner also stating his active role in the crime and further the petitioner is veteran criminal and is involved in 21 cases.

In the facts and circumstances stated above, considering the aforesaid materials and further that the petitioner has got criminal antecedent and, as such, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected in connection with Sonbarsa P.S. Case No. 95 of 2013 pending in the Court of learned CJM, Sitamarhi.

However, considering the detention of the petitioner, let the trial be expedited and concluded within a period of six months, failing which the petitioner may be at liberty to renew his prayer for bail.

(Jitendra Mohan Sharma, J)

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