

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36393 of 2016

Arising Out of PS.Case No. -10 Year- 2006 Thana -PIPRASI District-
WESTCHAMPARAN(BETTIAH)

=====

1. Kailash Mallah Son of Ram Jatan Mallah resident of Village- Shastri Nagar, P.S. Bagaha (Patkhauri) District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra

For the Opposite Party/s : Mr. Sri Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-12-2016 Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Piprasi P.S. Case No. 10 of 2006 registered for the offences punishable under Section 364(A), 34 of the Indian Penal Code.

The petitioner is not named in the F.I.R. It appears from the order-sheet that the statement of the victim was recorded under Section 164 Cr.P.C. in which he disclosed the name of the petitioner as one of the culprits.

It has been submitted on behalf of the petitioner that he is not named in the F.I.R., but on the statement of the victim recorded under Section 164 Cr.P.C., the name of the petitioner transpired along with other culprits. It has further been



submitted that he is in custody since 01.01.2016.

However, learned APP has also drawn attention of this Court towards the impugned order in which it is written that there is allegation of abduction against the petitioner and the statement of the victim recorded under Section 164 Cr.P.C. also, he has disclosed the name of the petitioner as one of the abductors.

Having heard both sides, in view of the fact that the statement of the victim recorded under Section 164 Cr.P.C. and he has named the petitioner also as one of the culprits, I am not inclined to grant bail to him and accordingly, his such prayer stands rejected in connection with Piprasi P.S. Case No. 10 of 2006 pending in the court of learned Additional Chief Judicial Magistrate, Bagaha, West Champaran.

Let the learned court below be directed to expedite the trial and conclude the same expeditiously.

(Vinod Kumar Sinha, J)

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