

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35078 of 2016

Arising Out of PS.Case No. -73 Year- 2015 Thana -KASHICHAK District- NAWADA

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Nandan Kumar @ Nandan Singh, S/o Ram Ratan Singh, R/o Cheya, P.S.-
Attri, Distt- Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Amresh Kumar Sinha, Advocate

For the Opposite Party : Smt. Sucheta Yadav (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 10-11-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is in custody since 16.10.2016 in connection with Kashichak P.S. Case No.73 of 2015 registered for the offences punishable under Sections 363 and 364(A) of the Indian Penal Code and later on added Section 302 of the Indian Penal Code.

Case diary in the present case was called for, which has since been received.

Learned counsel for the petitioner submits that save and except the confessional statement made before the police by some of the co-accused persons, there is no further material came against the petitioner. As such, the petitioner may be extended and granted the privilege of bail.

Counsel appearing on behalf of the State after perusal

of the case diary has pointed out some paragraphs of the case diary in which, the name of the petitioner has been indicated by three sets of persons and it is evident that on all occasions the rest of the accused persons have taken the name of the petitioner. Furthermore, at the instance of such accused persons, the recovery of the pant of the victim boy has been made from the marriage hall. Thereafter another child who was recovered has taken the name of the petitioner in his statement made under Section 164 of the Cr.P.C where the petitioner along with two others are said to have brought the victim boy to the room who had stated his name to be Dhiraj Kumar @ Fatinga and the boy was kept in his room for a day and then shifted any where.

Having considered all the facts and circumstances and the material which has surfaced in the case diary, I am not inclined to grant regular bail to the petitioner. It is, accordingly, rejected.

However, in view of the facts and circumstances of the case, the court below is directed to expedite the trial of the present case on day to day basis without giving any undue adjournments so that the same is concluded positively within a period of one year from today.

(Anjana Mishra, J.)

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