

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14074 of 2016

Arising Out of PS.Case No. -178 Year- 2014 Thana -JAMALPUR District- MUNGER

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1. Md. Chhotu @ Sonu S/o Late Md. Nasim resident of village- Gulzar
Pokhar, Ghasiyar Mahalla P.S. Kotwali District- Munger... .. Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raj Kumar Choudhary

For the Opposite Party/s : Mr. Ram Sumiran Rai (App)

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

ORAL ORDER

4 13-05-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Jamalpur
P.S. Case No. 178 of 2014 registered for the offence punishable
under Section 392 IPC in which Section 395 of the Indian Penal
Code was added later on.

Allegedly, 3-4 unknown miscreants at the point of pistol
snatched bag containing cash of Rs. 32,000/- of Nishant Bhawani
Cold Storage Private Limited and other papers and also mobile of
the informant.

Submission is of false implication and that the petitioner
is not named in the first information report, he has been made
victim of police atrocities , he was remanded in this case from
Jamalpur P.S. Case No. 180 of 014 and thereafter, he was put on
test identification parade wherein the informant has claimed to

identify the petitioner, nothing has been recovered from his possession and only on the basis of single identification which is not in accordance with law the petitioner is suffering in custody since 08.01.2015 to which the learned APP opposes.

In the facts and circumstances stated above, considering that the petitioner has been identified during test identification parade by the informant and further the petitioner has got criminal antecedent and as such this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, considering the period of detention, let the trial be expedited and concluded as early as possible, preferably within six months after taking all positive steps from the date of receipt/production of a copy of this order.

(Jitendra Mohan Sharma, J)

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