

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23007 of 2016

Arising out of PS.Case No. -176 Year- 2013 Thana -DHAMDAHA District- PURNIA

Pramod Yadav, Son of Late Jay Narayan Yadav, resident of village -
Hathiyondha, Sindriya Tola, P.S. - Bihariganj, District - Madhepura.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Amit Kumar Anand, Advocate.

For the Opposite Party : Mr. Indu Bala Pandey (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 10-08-2016 A supplementary affidavit has been filed on behalf of
learned counsel for the petitioner. The same may be kept on the
record.

In light of the supplementary affidavit, learned counsel
for the petitioner is permitted to make necessary correction in
paragraph no. 03 of the present bail petition.

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

The petitioner is languishing in custody since 18.09.2014
in connection with Sessions Trial No. 239 of 2015, arising out of
Dhamdaha P.S. Case No. 176 of 2013 for the offences instituted
under Section 395 of the IPC.

It is alleged that while the informant Rahul Kumar

Yadav alongwith one other Ram Bhajan Kumar having cash Rs. 20,000/- and 25,000/- respectively were travelling in a Bus, one person stopped the Bus on the point of pistol. Thereafter some miscreants looted the money of the aforesaid two persons after entering into the Bus.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.09.2014 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. He has not been put on T.I. Parade. There is no recovery of any incriminating article from possession of the petitioner.

On behalf of the State it has been submitted that the petitioner is not named in the F.I.R. His name has come in the confession of co-accused during the course of investigation. The petitioner has got as many as 17 criminal cases pending against him.

Considering the aforesaid facts and circumstances and number of cases pending against him, I am not inclined to grant bail to the petitioner. The same is rejected in Sessions Trial No. 239 of 2015, arising out of Dhamdaha P.S. Case No. 176 of 2013, pending in the court of the learned 1st Additional Sessions Judge,

Purnea. Anyhow, the court below is directed to take all necessary steps to expedite the trial.

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(Sudhir Singh, J)

