

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 42840 of 2015

Arising Out of PS.Case No. -173 Year- 2013 Thana -MADANPUR District- AURANGABAD

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Jalim Singh, Son of Ram Narayan Singh, Resident of Village - Basdiha, P.S. - Deo,
District - Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the State	:	Mr. Bhanu Pratap Singh, A.P.P. Mr. Ashok Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 15-03-2017

Heard learned counsel for the parties.

The petitioner seeks bail in Madanpur P.S. Case No. 173
of 2013 dated 28.10.2013 instituted under Sections 395/397 of the
Indian Penal Code.

This is the second attempt of the petitioner for bail as
earlier such prayer was rejected by order dated 08.07.2014 passed in
Cr. Misc. No. 27096 of 2014 by which the Court below was directed
to expedite the trial and conclude the same within nine months.

Learned counsel for the petitioner submitted that he is
also named in the F.I.R. and even in the confessional statement, there
is only a vague and bald allegation with regard to his complicity,
though he is not said to be the part of the group which actually made
the loot.



Learned A.P.P. submitted that the confessional statement by the co-accused is in detail and the petitioner is said to be one of those who had planned the event and also got Rs. 67,000/- of the looted amount out of which Rs. 47,500/- has been recovered from his house. It is further submitted that the petitioner later on accompanied one of the accused in a four-wheeler and thereafter there was division of money among themselves.

Having considered the rival contentions, the Court finds that there is no mitigating intervening circumstances, after the last order of rejection, except for passage of time. Moreover, the Court has no reason to dis-believe the detailed confessional statements, which indicate that it is not just a mere formality as detailed role and sequence of events have been mentioned.

For the reasons aforesaid, the Court is not inclined to grant bail to the petitioner.

Accordingly, the application stands dismissed.

Earlier the Court had directed for concluding the trial within nine months. Though some explanation by the Court below has been given for non compliance but the Court does not find it to be sufficient.

Accordingly, this Court directs that the trial Court shall conclude the trial latest by 30th September, 2017 positively. As this is



the second time the Court is giving such direction, any non compliance shall be viewed seriously by this Court and it is the responsibility of the trial Court to ensure compliance of the order.

Registry shall communicate the order to the Court below through Fax also latest by day after tomorrow.

(Ahsanuddin Amanullah, J.)

P. Kumar

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