

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.15178 of 2017**

Arising Out of PS.Case No. -266 Year- 2012 Thana -CHIRAIYA District-  
EASTCHAMPARAN(MOTIHARI)

=====

1. Babujan Miyan Son of Raktoo Miyan Resident of Village- Dhansarya,  
Police Station- Harsidhi, District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anwar Karim

For the Opposite Party/s : Mr. Sri Ram Bachan Singh

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      18-04-2017                      Heard learned counsel for the petitioner.

The petitioner is in custody in connection with Chiraiya P.S.Case No. 266 of 2012 ( S.Tr. No.765 of 2014/ 02 of 2015) registered under Section 395 of the Indian Penal Code, pending in the court of learned Additional Sessions Judge-IX, Motihari, East Champaran.

The petitioner is not named in the FIR.

It has been submitted on behalf of the petitioner that except confessional statement of co-accused there is nothing against the petitioner and other co-accused, namely, Paramhans Bhagat, Maujela Rai @ Maujela Ram and Jaga Choudhary @ Jagalal Choudhary have been granted bail vide order dated 04.10.2013 passed in Cr. Misc. No. 37868 of 2013, order dated



29.08.2014 passed in Cr. Misc. No.27740 of 2014 and order dated 05.02.2014 passed in Cr. Misc. No. 38022 of 2013.

However, learned A.P.P. opposes the prayer for bail.

From perusal of the impugned order it is evident that apart from confessional statement, the petitioner is an accused in several other cases and it further appears that sessions trial has been commenced. In view of the fact stated above, I am not inclined to grant bail to the petitioner.

Accordingly, the prayer for bail of the petitioner is rejected. The trial court is directed to expedite the trial and try to conclude the same within a period of nine months and if the trial is not concluded within the aforesaid period, the petitioner may renew his prayer for bail. The trial court is also directed to conduct the trial, if possible, on day to day basis. The Superintendent of Police, East Champaran, is directed to produce the witnesses on the date fixed so that the trial is concluded within the aforesaid period.

This order must be complied strictly.

**(Vinod Kumar Sinha, J)**

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