

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6879 of 2017

Arising Out of PS.Case No. -453 Year- 2016 Thana -BUXAR District- BUXAR

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Awadhesh Rajbhar, Son of Lakshman Rajbhar, resident of village- Khejuri,
P.S. Khejuri, District-Baliya, U.P.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dr. Kamal Deo Sharma, Advocate.

For the State : Mr. C. Jawahar, A.P.P.

For the Informant : Mr. Anil Kr. Roy, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-04-2017 Heard learned counsels for the petitioner, informant and

learned counsel for the State.

The petitioner is languishing in custody since 30.11.2016
in connection with Buxar (T) P.S. Case No. 453 of 2016 for the
offences instituted under Sections 379 and 420 of the IPC.

The prosecution story, in brief, is that ATM Card has
been exchanged. The recovery of ATM Card etc., is from the
possession of this petitioner.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 30.11.2016 and the charge has
already been framed. The petitioner is not named in the FIR. His
name has come on the basis of confessional statement of co-



accused. There is no allegation of tampering of the witnesses alleged against the petitioner.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner has a criminal antecedent. Altogether 3,60,000/- is said to have been recovered which has been withdrawn from the bank account of the informant. Online purchase of T.V. and other articles are said to have been made by the petitioner using ATM Card of the informant. The said articles are also said to have been recovered from possession of the petitioner alongwith the receipts.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner at this stage. The same is rejected in Buxar(T) P.S. Case No. 453 of 2016, pending in the court of the learned C.J.M. Buxar. Anyhow, the learned court below is directed to take all necessary steps to conclude the trial preferably within a period of six months from the date of receipt/production of copy of the order.

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(Sudhir Singh, J)

