

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34313 of 2017

Arising Out of PS.Case No. -286 Year- 2016 Thana -MAHUA District- VAISHALI(HAJIPUR)

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1. Akhilesh Pandey @ Amit son of Bishwambhar Pandey, Resident of
Village- Ahiyai, Police Station Rajapakar, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Choudhary

For the Opposite Party/s : Mr. Md. Ashlam Ansari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-07-2017

Heard the parties.

This application is for grant of regular bail in connection with Mahua P.S.Case No.286 of 2016 for the offences punishable under Sections 395, 397, 412 and 414 of the Indian Penal Code.

The petitioner is not named in the F.I.R. and it appears that his name transpired on the basis of confessional statement of the co-accused and further there is recovery of Rs.10,000/- from his possession. The allegation of committing ‘*dacoity*’ in the Petrol Pump and looting Rs.03,01,000/- from the ‘*Munsi*’ of the Petrol Pump.

Submission of the learned counsel for the petitioner is that the except confession of the co-accused there is nothing against the petitioner and so far recovery is concerned that is plantation and further the petitioner is in custody for about one



year. It has also been submitted that the another co-accused persons having similar allegation has already been granted bail by this Court vide order dated 17.05.2017 passed in Cr. Misc. No.19139 of 2017.

Heard learned A.P.P. also.

Having heard both sides and from perusal of the record, it appears that the case of the petitioner is not similar to those of the co-accused person, who has been granted bail by this Court, vide order dated 17.05.2017 passed in Cr. Misc. No.19139 of 2017 as he has no criminal antecedent.

Considering the fact that there is recovery as well as criminal antecedent of the petitioner, I am not inclined to grant bail to the petitioner, however, the petitioner is in custody for about one year, the learned trial court is directed to expedite the trial and try to conclude it within a period of nine months and if not concluded, the petitioner is at liberty to renew his prayer for bail bond before the court concerned.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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