

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48830 of 2016

Arising Out of PS.Case No. -193 Year- 2015 Thana -RAJAUN District- BANKA

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Bideshi Yadav @ Bibhash Yadav @ Amit Rajak son of Munilal Rajak,
resident of Mohalla Urdu Bazar, P.S. Tatarpur, District Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya

For the Opposite Party/s : Smt. Anusuiya Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-01-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Rajoun
P.S. Case No. 193 of 2015 for the offence punishable under
sections 379 and 411 of the Indian Penal Code pending in the
court of the learned Additional Chief Judicial Magistrate 1st,
Banka.

It has been submitted on behalf of the petitioner that it
is alleged that there is recovery of one stolen motor cycle from
outside the house of the petitioner and the petitioner is in custody
for about 17 months. It has been further submitted that though the
petitioner has been made accused in large number of cases but in
all those cases he is on bail and he has been falsely implicated in
all those cases.



Heard learned A.P.P. also who has opposed the prayer for bail on the ground that there is recovery and further that the petitioner has criminal antecedents.

Having heard both sides and in view of the fact that there is recovery of stolen motor cycle from the petitioner, no doubt the petitioner is in custody for more than 17 months but it appears from paragraph 3 of the petition that he is accused in large number of cases, I am not inclined to grant bail to the petitioner at this stage.

However, since the petitioner is in custody since 30.08.2015, the court below is directed to expedite the trial of the petitioner and conclude the same on day to day basis within six months. However, if the trial is not concluded within six months, the petitioner will be at liberty to renew his prayer for bail.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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