

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18916 of 2017

Arising Out of PS.Case No. -8 Year- 2017 Thana -ASARGANJ District- MUNGER

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Pinku Upadhyay @ Sachidanand Upadhyay @ Baba, son of Ashok Upadhyay, resident of Village- Asarganj (Jalalabad), P.S.- Asarganj, Distt. Munger.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-05-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Asarganj P.S.Case No. 08 of 2017 registered for the offences punishable under Sections 384 and 386 of the Indian Penal Code.

Petitioner is not named in the FIR and later on his name transpires during course of investigation.

It has been submitted on behalf of the petitioner that petitioner has falsely been implicated in this case on the basis of confessional statement and suspicion and even number of mobile, which has been mentioned in the FIR, does not belong to the petitioner and he is in custody for three months. So far criminal antecedents are concerned, it has been submitted that he has been acquitted in two of the cases.



Heard learned APP also, who has opposed the prayer for bail on the ground that the informant in his re-statement as well as other witnesses has taken the name of the petitioner and suspected him.

Having heard both sides and considering the fact that petitioner has been named in the re-statement of the informant and by other witnesses during course of investigation and also considering the fact that he has criminal antecedents, I am not inclined to grant bail to the petitioner.

However, learned trial court is directed to expedite the trial of the petitioner.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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