

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9153 of 2017

Arising Out of PS.Case No. -80 Year- 2016 Thana -ARER District- MADHUBANI

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Gautam Kumar Jha, S/o Ojendra Kumar Jha, Resident of Village- Depura ,
P.S Benipatti, District- Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-03-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Arer
P.S.Case No. 80 of 2016 registered for the offences punishable
under Section 379 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
petitioner has been made accused in two other cases but
inadvertently it is stated in the petition that petitioner has been
made accused in one more case. It has also been submitted that in
paragraph-5 of the petition other case has been disclosed.
However, on the merits of the case it has been submitted on behalf
of the petitioner that petitioner is not named in the FIR and has
been made accused in this case and it has been alleged that stolen
motorcycle has been recovered from the house of the petitioner.



However, it is the purchased motorcycle and he is in custody since 7.10.2016.

Heard learned APP also.

Having heard both sides and in view of the fact that petitioner has criminal antecedent along with the fact that stolen motorcycle has been recovered from the house of the petitioner, as such, I am not inclined to grant bail to the petitioner at this stage.

However, as the petitioner is in custody for more than five six months, learned court below is directed to expedite the trial of the petitioner and try to conclude the same within a period of six months. If the trial is not concluded within the said period, petitioner may renew his prayer for bail.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

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