

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7483 of 2017

Arising Out of PS.Case No. -278 Year- 2015 Thana -DARIYAPUR District- SARAN

Sanjay Prasad Alias Mukurdhan, son of Raja Prasad @ Raja Sah, Resident
of Village- Mauna, Police Station- Chapra Town, District- Saran at Chapra.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Jay Prakash Sharma

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 22-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner wants to renew his prayer of bail, which was earlier rejected vide order dated 09.05.2016 passed in Cr. Misc. No. 12996 of 2016, on the ground that the petitioner is in custody since 08.12.2015, the alleged confessional statement made before the Police has got no evidentiary value in the eye of law, nothing was recovered from possession of the petitioner and the trial has not been concluded within 9 months as directed by this Court and the petitioner has been allowed bail in Muffasil P.S. Case No. 330 of 2015 vide order dated 08.12.2016 passed in Cr. Misc. No. 52206 of 2016 vide annexure-2, the prosecution witnesses have already been examined and there is no chance of tampering with prosecution evidence.



Learned APP opposes the prayer of bail by submitting that on the basis of confessional statement of the petitioner and co-accused cloth and knife were recovered from the roadside in a black poly packet and further some stolen battery were recovered from the shop of Anwar Kuraishi and all the prosecution witnesses have been examined.

In the facts and circumstances stated above, finding no good ground for reconsideration of prayer for bail of the petitioner, again his prayer for bail stands rejected.

However, learned trial court is directed to expedite the trial and conclude the same as early as possible, preferably within three months from the date of receipt/production of a copy of this order, failing which the petitioner, if at no fault, may be at liberty to renew his prayer of bail.

(Jitendra Mohan Sharma, J)

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