

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54756 of 2016

Arising Out of PS.Case No. -24 Year- 2016 Thana -KASBA District- PURNIA

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Enamul @ Anamul @ Md. Enamul Haque

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amar Nath Singh

Me. Kamal Kishore Singh

For the Opposite Party/s : Mr. Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 08-02-2017 Heard the parties.

This application is for grant of bail in connection with Kasaba P.S.Case No.24 of 2016 for the offence under Sections 302, 201 and 120B of the Indian Penal Code.

It is submitted on behalf of the petitioner that the petitioner is brother of the main assailant and on his confessional statement, name of the petitioner came into this case and the father of the petitioner has also been arrested in this case, who has already been granted bail by this Hon'ble Court, vide order dated 08.11.2016 passed in Cr. Misc. No.34784 of 2016. The petitioner is in custody for about ten months.

Heard learned A.P.P. and the learned counsel for the brother of the deceased. It has been submitted that the petitioner has been convicted in other cases also and on the basis of confessional



statement, some documents of the Motorcycle and one shoe were recovered, which will appear from para no.164 of the case diary.

Having heard both sides. In view of the fact that at the instance of the petitioner, documents and shoe were recovered, as such the case of the petitioner is not similar to the other accused person, who has been granted bail by this Hon'ble Court. Further, considering the submission that the petitioner has been made accused in other cases also, I am not inclined to grant bail to the petitioner at this stage, however, the learned trial court is directed to expedite the trial. If the trial is not concluded within a period of nine months, the petitioner is at liberty to move for bail.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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