

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49070 of 2017

Arising Out of PS.Case No. -59 Year- 2014 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

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Brij Kishore Mahto @ Braj Kishore Mahto S/o Late Indal Mahto, R/o
Village- Pithwa, P.S.- Jharokhar, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party : Mr. Sri Sanjay Kumar Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner and the
learned counsel representing the State.

The petitioner wants to renew his prayer of bail which was earlier twice rejected vide order dated 23.11.2015 and 18.01.2017 passed in Cri. Misc. No. 34799 of 2015 and Cr. Misc. No. 1023 of 2017 respectively, on the ground that the petitioner is suffering in custody since 04.09.2014 and the alleged recovery of robbed amount is not from the conscious possession of the petitioner and up till now only four prosecution witnesses have been examined and, as such, in near future the trial is not likely to be concluded. There was direction to conclude the trial within six months but thereafter no prosecution witness has been examined and, as such, the petitioner deserves sympathetic consideration.



The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the alleged recovery of robbed amount of Rs. 1,50,000/- on the basis of confessional statement of the petitioner and, as such, I am not inclined to release the petitioner on bail and accordingly his such prayer stands rejected in S.Tr. No. 644 of 2015 arising out of Adapur P.S. Case No. 59 of 2014 pending in the court of learned Additional Sessions Judge 12th, East Champaran at Motihari.

However, the learned trial court is again directed to expedite the trial and to conclude the same preferably within four 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 for bail.

(Jitendra Mohan Sharma, J.)

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