

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6975 of 2017

Arising Out of PS.Case No. -38 Year- 2016 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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Bipin Sahani, son of Late Sukhal Sahani, resident of Village-Tarkulwa P.S.
Chautarwa, District-West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ram Chandra Sahni, Advocate

For the Opposite Party/s : Mr. Chaubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-02-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Jogapatti (Nawalpur) P.S.Case No. 38 of 2016 registered for the offences punishable under Sections 363, 364A, 302, 201 and 120B/34 of the Indian Penal Code.

Argument of learned counsel for the petitioner is that name of petitioner has transpired on the basis of confessional statement of co-accused Lalita Devi and Mukesh Kumar but Lalita Devi has been granted bail by this Court in Cr.Misc.No. 37067 of 2016 vide order dated 26.10.2016 and petitioner is in custody for one year.

Heard learned APP also, who has opposed the prayer for bail.



From the impugned order it appears that not only name of the petitioner has transpired in confessional statement but his name has also come in 164 Cr.P.C. statement of one Kalawati Devi and in paragraph-98 of the case diary there has been recovery of Mobile phone from his possession, coupled with the fact that petitioner is accused in four other cases, as such, I am not inclined to grant bail to the petitioner.

However, learned trial court is directed to conclude the trial within a period of nine months keeping in view the fact that petitioner is in custody for about one year without being prejudiced by this order. If the trial is not concluded within the said period, petitioner will be at liberty to renew his prayer for bail.

With the above observations, this application is dismissed.

(Vinod Kumar Sinha, J)

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