

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54291 of 2016

Arising Out of PS.Case No. -225 Year- 2015 Thana -CHAPRA MUFFASIL District- SARAN

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1. Moharam Nut, son of Chaturgun Nut, resident of Village- Daudpur, P.S.-
Daudpur, Distt- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 28-02-2017 Heard both sides.

The petitioner seeks bail in Chapra Mufassil P.S. case
No. 225 of 2015 under Section 395, 396, 397 of the Indian Penal
Code. Later Sections 376 and 412 of the IPC were added.

The informant lodged the case against unknown.

The learned counsel for the petitioner submits that
there is no material against the petitioner. The petitioner was
arrested in another case and from his possession one mobile was
recovered. Similarly situated accused persons, namely, Dudh Nath
Nut, Dharmendra Nut and others have already been granted bail
by different benches of this court. It is submitted that the persons
who were knowing the petitioner have identified him in T. I.
parade.



It appears from perusal of the case diary and records that first time the name of petitioner figured in the case in paragraph 47 of the case diary and thereafter the petitioner was put on T. I. parade and the informant and one another person identified the petitioner in T. I. parade.

Having considered the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

Since the petitioner is in jail since 29.09.2015 the learned Judicial Magistrate, who is in seisin of the case, is directed to commit the case forthwith to the court of Sessions and on such the learned Sessions Judge or any Additional Sessions Judge is directed to hold the trial on day to day basis and conclude the same within one year from the date of receipt of this order.

(Prabhat Kumar Jha, J)

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