

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36473 of 2018

Arising Out of PS. Case No.-237 Year-2014 Thana- BIKRAMGANJ District- Rohtas

Jitendra Nut, Son of Mahboob Nut, R/o Village- Vidhikhap (Mathia), P.S.-
Natwar, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chakravarti Singh, Advocate

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary (APP)

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

ORAL ORDER

2 27-06-2018 Heard learned counsel for the petitioner and the
learned counsel representing the State.

The petitioner wants to renew the prayer of bail which was earlier rejected vide orders dated 19.05.2016 and 09.08.2017 passed in Cri. Misc. No. 14781 of 2016 and Cr. Misc. No. 31115 of 2017, on the ground that the petitioner is suffering in custody since 01.01.2015, having clean antecedent, other co-accused Surendra Singh Yadav and Bhim Nut have already been allowed bail. The confessional statement of the petitioner has got no evidentiary value in the eye of law and the mobile recovered has not been identified by anyone as of the deceased and, as such, the petitioner deserves sympathetic consideration. During trial P.Ws. 3, 4 and 5 have turned hostile.



The learned A.P.P. opposes the prayer of bail by submitting that on the basis of confessional statement of the petitioner, mobile of the deceased was recovered and further motorcycle of the deceased was recovered which was hidden by the co-accused after separating the parts.

In the facts and circumstances stated above, at present, finding no good ground for reconsideration of prayer of the bail, again prayer of the bail of the petitioner stands rejected in connection with Sessions Trial No. 385 of 2015, pending in the court of learned Additional Sessions Judge-4th Rohtas.

However, the learned trial Court is directed to expedite the trial and conclude the same preferably within four months, from date of receipt/production of a copy of this order after taking the same on priority basis.

(Jitendra Mohan Sharma, J.)

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