

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11826 of 2019**

Arising Out of PS. Case No.-311 Year-2018 Thana- JAGDISHPUR District- Bhojpur

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Ajay Kumar @ Raja Son of Lalit Kumar Singh @ Lakhan Jee Resident of
Village-Anaith, Police Station-Ara Nawada, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gopal Govind Mishra

For the Opposite Party/s : Mr.Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Jagdishpur P.S. case
No.311 of 2018 registered under Section 396 of the I.P.C. and
Section 27 of the Arms Act, pending in the court of Chief
Judicial Magistrate XI, Bhojpur at Ara.

Allegation is that two unknown persons looted
Rs.2,07,000/- from the cousin of the informant on the point of
pistol and fired on him, due to which he died.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 29.08.2018. Charge sheet has
been submitted in this case. There is no allegation of tampering
of witnesses alleged against the petitioner. The petitioner has
falsely been implicated in the present case. The petitioner has



not been put on Test Identification Parade. There is no recovery of any incriminating article from the possession of the petitioner. The petitioner is not named in the F.I.R. His name has come in course of investigation.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R. It is further submitted that while committing dacoity the person, who was carrying Rs.2,07,000/- has been murdered. From perusal of para 59 of the case diary it is evident that the petitioner is said to have actively participated in the alleged occurrence, which is evident from C.C.T.V. footage recorded in course of occurrence.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected.

The Trial Court is directed to take all necessary steps to conclude the trial preferably within a period of one year from the date of receipt/production of a copy of this order.

The District Magistrate, Bhojpur at Ara and the Superintendent of Police, Bhojpur at Ara are also directed to take necessary steps to produce the witnesses on the date fixed by the Trial Court so that the trial could be concluded within the stipulated period.



Let this order be communicated to the District
Magistrate, Bhojpur at Ara and the Superintendent of Police,
Bhojpur at Ara.

(Sudhir Singh, J)

Narendra/-

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