

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24075 of 2019

Arising Out of PS. Case No.-44 Year-2017 Thana- AGAMKUAN District- Patna

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Rakesh Ranjan @ Rockey Son of Late Suresh Choudhary Resident of Village-
Gajendra Bigha, P.S.- Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Vigilance Department, Patna, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar, Advocate
For the Opposite Party/s : Mr. Ajay Mishra, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 30-09-2019 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the Vigilance.

The petitioner is in custody since 19.04.2017 in connection with Agamkuan P.S. Case No. 44 of 2017, registered for the offence under Sections 419, 420, 467, 469, 120(B), 471 and 34 of the Indian Penal Code and Section 66(B) of the I.T. Act and Sections 7, 8, 9, 13(1)(c)(d)(e) read with Section 13 (2) of P.C. Act, 1988.

Learned counsel for the petitioner submits that the prayer for bail was rejected earlier by means of a reasoned order, but the petitioner seeks to renew the prayer for bail on the specious grounds that the petitioner has been in jail for about two and half years since the earlier order of rejection and



similarly situated co-accused person has been extended privilege of bail in Cr. Misc. No. 72651 of 2018 vide order dated 10.07.2019, whereby a Bench of this Court while hearing the application and after obtaining the stage of the trial and noting that the petitioner had already been under custody for merely two and half years, had extended the privilege of bail.

However, in the said order it has been found that save and except the delay in conclusion of the trial, there is no other ground which has been noted in preference of the petitioner for the purpose of grant of bail. So far as the present petitioner is concerned, this Court had noted while rejecting the prayer for bail that the call details of the petitioner matched with the call details of the other candidates who have also been placed under custody and the petitioner had been found to have been communicating with such persons. The petitioner is also the nephew of one Atul Ranjan Sinha, who is said to be the kingpin of the present scandal involving the alleged leak of question paper from the Staff Selection Commission and has not yet been extended privilege of bail.

The report had been sought from the Court of Learned Special Judge, Vigilance, Patna which has since been received i.e. on 07.09.2019. In the said report the learned Court has said



that charge is yet to be framed and in such a situation delay of one and half year is required for disposal of the case, if prosecution will cooperate properly.

It is not comprehensible to this Court as to why a matter of such serious nature is being lingered and even the charge has not yet been framed.

Let the prosecution take immediate steps so that the charge in the case is framed within a period of six weeks from today. The Court concerned must give an explanation to this Court as to why the delay is being occasioned. It is made clear that the court must not grant unnecessary adjournment to either of the parties so as to cause any delay in framing of the charge. It is further directed that the trial of the case must be concluded within a period of one year from the date of receipt/production of a copy of this order.

The prayer of the present petitioner for bail is once again rejected.

(Anjana Mishra, J)

S.Katyayan/
Rahul/-

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