

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63510 of 2018

Arising Out of PS. Case No.-140 Year-2018 Thana- PHULWARIYA District- Gopalganj

Pappu Sayee, Son of Jang Bahadur Sayee, resident of Village- Gaushiya, P.S.-
Bhorey, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhramveer

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 09-01-2019 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner seeks bail in connection with
Phulwaria P.S. Case No. 140 of 2018 registered under Section
414 of the Indian Penal Code.

Petitioner is said to have been apprehended along
with stolen motorcycle.

It is submitted by learned counsel for the
petitioner that the petitioner is quite innocent and has been
falsely implicated in this case. As a matter of fact, he has taken
the aforesaid motorcycle from his friend, namely, Mritunjay
Kumar to visit doctor to accord medical aid to his wife without
any knowledge of said motorcycle to be stolen one. He has
been languishing in custody since 22.06.2018.

On the other hand, learned APP opposing the bail
prayer of the petitioner submitted that the aforesaid motorcycle



is stolen one. It is hailing to one Jai Narayan Yadav and said Jai Narayan Yadav has lodged Kotwali (Deoria) P.S. Case No. 488 of 2018 regarding theft of the aforesaid motorcycle and the aforesaid motorcycle has been released in his favour and petitioner was apprehended with the aforesaid motorcycle. The Petitioner has also criminal antecedent. Hence, he does not deserve bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer is rejected.

However, learned court below is directed to conclude the trial as expeditiously as possible preferably within six months from the date of receipt/production of a copy of this order fixing the case on day to day basis and S.P. Gopalganj is directed to ensure production of the witnesses in the case on each and every date fixed without fail.

Let a copy of this order be communicated to S.P. Gopalganj by fax for needful.

Petitioner will be at liberty to renew his prayer for bail if the trial is not concluded within the stipulated period.

(Prakash Chandra Jaiswal, J)

rohit/-

U		T	
---	--	---	--



