

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.23362 of 2021**

Arising Out of PS. Case No.-217 Year-2019 Thana- BHAGWANPUR District- Vaishali

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DAMODAR RAI SON OF RAGHUNANDAN RAM R/O - MAHUA, P.S.-
HAJIPUR TOWN, P.O.- HAJIPUR, DISTRICT- VAISHALI, PIN CODE-
844101.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Saurabh Bishwambhar, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-08-2021 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.

Narendra Kumar Singh, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Bhagwanpur P.S. Case No. 217 of 2019

registered for the offences punishable under Section 392 of the

Indian Penal Code.

Learned counsel for the petitioner submits that the

petitioner is not named in the F.I.R. According to the informant

the two miscreants had intercepted him when he was going by

his motorcycle near the Borhiya Bazaar and then by threatening

him on the point of pistol they had looted away his motorcycle and the mobile phone.

Learned counsel submits that no TIP has been conducted so far and in absence of identification, the petitioner has remained in jail since 25.03.2020.

On the other hand, Mr. Narendra Kumar Singh, learned A.P.P. for the State has opposed the prayer for bail of the petitioner. It is submitted that in paragraph '42' of the case diary it has come that the looted vehicle has been recovered from the house of the petitioner. This is very much noted in the impugned order of the learned Additional Sessions Judge-VI, Vaishali.

It is also pointed out that this petitioner has got three criminal antecedents of similar nature.

Considering the facts and circumstances of the case, wherein this Court has noticed that the vehicle was looted away on the point of pistol by the miscreants and the said vehicle has been recovered from the house of this petitioner and further that the petitioner has got three criminal antecedents of similar nature, this Court is not inclined to release the petitioner on bail at this stage. His prayer for bail is, thus, refused.

Let the trial be expedited.

Considering that he is in custody since 25.03.2020,

the learned trial court is expected to proceed with the trial as early as possible and all endeavours be made to conclude the same within a period of nine months from the date of receipt of a copy of this order or communication of the order. If the trial remains un concluded within this period for no reason attributable to the petitioner, he may renew his prayer for bail.

This application stands dismissed.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.