

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34427 of 2020**

Arising Out of PS. Case No.-212 Year-2019 Thana- BHAGWANPUR District- Vaishali

DAMODAR RAI Son of Raghunandan Rai, Resident of Village - Manua, P.S.
- Sadar Hajipur, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yugal Kishore, Adv.

For the Opposite Party/s : APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

4 25-02-2021 Heard both sides.

Petitioner seeks bail in Bhagwanpur P.S. Case No.212
of 2019 registered under Section 392 of the IPC.

The informant alleged that while he was returning
from Gaya to Muzaffarpur on a bullet motorcycle bearing
registration no.BR06BB-0970, some miscreants signaled to stop
and thereafter all the accused persons started assaulting the
informant and Bijay Mandal, who was accompanying him and
the accused persons snatched motorcycle and other articles from
the informant.

Learned counsel for the petitioner submits that during
the course of investigation of Lalganj P.S. Case No.332 of 2019,
the looted motorcycle was recovered and the petitioner has



already been granted bail in Lalganj P.S. Case No.332 of 2019 by the learned Additional Sessions Judge-IX, Vaishali at Hajipur in B.P. No.597 of 2020. There is no evidence to show that the petitioner committed robbery of the motorcycle from the informant but it appears that the petitioner has got criminal antecedent and he is accused in many other criminal cases. The looted motorcycle was recovered from the house of the petitioner. The petitioner was granted bail in Lalganj P.S. Case No.332 of 2019 on the ground that the petitioner was not found present on the place of occurrence.

Taking into consideration the facts that the looted motorcycle of the present case was recovered from the house of the petitioner and the petitioner has got criminal antecedent, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within six months from the date of receipt of this order.

The Superintendent of Police, Vaishali at Hajipur is directed to ensure the attendance of prosecution witnesses in the court so that the trial must be concluded within six months.

Let a copy of this order be sent to the trial court as



well as the Superintendent of Police, Vaishali at Hajipur for
information and needful.

(Prabhat Kumar Jha, J)

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