

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33910 of 2020

Arising Out of PS. Case No.-511 Year-2019 Thana- BODHGAYA District- Gaya

Santosh Yadav @ Santosh Prasad S/o Mithlesh Prasad, Resident of Village-Panti, P.S-Fatehpur, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 29-01-2021 Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking regular bail in connection with Bodh Gaya P.S. Case No. 511 of 2019 registered for offence punishable under section 396 of the Indian Penal Code and section 27 of the Arms Act.

In this case, a robbery has been made and the uncle of the informant has been killed and also the accused persons looted money along with bag. During investigation, the petitioner and other accused persons made their statement before the police and on the confessional statement of co-accused Santosh Chaudhary and Ravi Yadav, the recovery of looted materials, including the bag which was being carried by the uncle of the informant, has been made.



Learned counsel for the petitioner submits that co-accused Santosh Chaudhary and Ravi Yadav have been granted by the coordinate Benches of this Court in Cr. Misc. No. 31234 of 2020 and Cr. Misc. No. 25353 of 2020. He further submits that the petitioner is in custody since 02.12.2019.

It appears that some facts were not brought to notice of the concerned Courts whereas the counsel for the informant has submitted that different paragraphs of the case diary show the recovery has been made at the instance of the confessional statement of the petitioner and co-accused.

Looking to the nature of allegation, this Court is not inclined to grant bail to the petitioner and accordingly his prayer for bail is rejected. However, the court below is directed to expedite the trial preferably within a period of one year. If the trial is not concluded within the aforesaid period, the petitioner will have liberty to renew his prayer for bail.

(Shivaji Pandey, J)

Mahesh/-

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

