

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36723 of 2020

Arising Out of PS. Case No.-35 Year-2019 Thana- PAHARKATTA District- Kishanganj

Noor Hussain @ Noor Hussian @ Nur Hossain S/O Late Gyasuddin @
Gheyasuddin R/O Village - Miyabasti Dhantola, P.S. - Islampur, District -
Uttar Dinajpur (W.B.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 23-06-2021 Heard both sides through video conferencing.

The petitioner seeks bail in Paharkatta P.S. Case
No.35 of 2019 registered under Section 392 of the Indian Penal
Code.

Learned counsel for the petitioner submits that prayer
for bail of the petitioner was earlier rejected vide order dated
29.02.2020. Petitioner is not named in the F.I.R. Petitioner is in
custody since 05.12.2019. Petitioner has already remained in jail
for more than 1½ years. The trial is still pending and only two
prosecution witnesses have been examined.

Taking into consideration the facts that looted
motorcycle was recovered from the possession of the petitioner
and two prosecution witnesses have already been examined, 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 three months from the
date of receipt of this order.

If the trial is not concluded within three months from
the date of receipt of this order, learned court below shall
enlarge the petitioner on bail to its own satisfaction.

(Prabhat Kumar Jha, J)

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