

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10270 of 2021

Arising Out of PS. Case No.-129 Year-2019 Thana- JALALGARH District- Purnia

Md Ashraf @ Md Asraf Son Of Mohammad Tahir Resident Of Village-
Sisona, P.S.- Araria, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the
Advocates joined the proceedings through Video Conferencing from their residence.)

3 22-09-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offence punishable under Sections 394 of
I.P.C. and charge sheet has been submitted under Sections 394,
411 of the I.P.C. and Section 27 of the Arms Act.

Petitioner had earlier moved this Court for regular bail
vide Cr. Misc. No. 12244 of 2020 which was dismissed on
04.06.2020.

Allegation against petitioner is of keeping stolen
motorcycle and also made firing and inflicting knife blow in the
stomach of informant and they also snatched away the bag of

informant containing A.T.M. Card, Pan Card, Aadhar Card, two mobiles and cash of Rs. 2,200/-. Some of looted articles has been recovered from possession of petitioner.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case only on the basis of suspicion. Similarly placed co-accused, namely, Md. Sultan has already been granted bail by a co-ordinate Bench of this Court vide order dated 13.09.2021 passed in Cr. Misc. No. 15784 of 2021. Petitioner is in custody since 05.10.2019.

As petitioner is having several antecedents for offence of different nature as disclosed in para 3 of this application and looted articles has been recovered from his possession, I am not inclined to grant bail to the petitioner. Accordingly the prayer for bail is rejected at this stage.

Vide order dated 14.07.2021, a report was called from court below with regard to stage of the trial. The report of the court below has come which is kept at Flag 'B', in which, it has been stated that the case is pending for evidence.

However, the court below is directed to expedite and conclude the trial within one year from the date of receipt/production of the copy of the order and if trial is not concluded within the aforesaid period of one year, the petitioner

would be at liberty to renew his prayer for bail.

(S. Kumar, J)

Rajiv/veena-

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