

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53899 of 2021

Arising Out of PS. Case No.-541 Year-2019 Thana- SHERGHATI District- Gaya

Rizu Khan @ Riju Khan @ Rizwan @ Ruzwan, S/o Taukir Khan R/o village-
Aminabad, P.S.- Sherghati, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 07-04-2022 Heard learned counsel for the parties.

Petitioner is in custody in connection with Sherghati
P.S. Case No.541 of 2019 instituted under Section 392 of the
Indian Penal Code.

As per the prosecution case, the informant, Avinash
Kumar Sinha who is staff of S.B. Electronics was returning after
collection of dues amounting to around Rs.80,000/-, it is alleged
that near Aminabad, three persons stopped him and the cash
amount was looted at gun point.

Subsequently, investigation took place and the
petitioner was taken into custody and on the statement made by
him, two theft motorcycles were recovered. This clearly proves
his involvement in the present case.

A perusal of the para-3 of the bail application shows
that the petitioner is involved in one dozen cases of Section 395



and 392 of the Indian Penal Code and that brings him under the category of habitual offender. As such this Court does not seem it proper to grant the privilege of bail to the petitioner, which is accordingly rejected.

Learned counsel for the petitioner submits that as he is in custody in this case since 16.01.2020, it would be proper that the trial of this case comes to its logical conclusion at an earliest. The contention put forward by the counsel for the petitioner seems just and proper.

The Trial court is directed to expedite the trial and conclude the same without any undue delay.

With these observations, the bail application is rejected.

(Rajiv Roy, J)

Prakash Narayan /-

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