

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.61511 of 2021**

Arising Out of PS. Case No.-19 Year-2020 Thana- JHAJHA RAIL P.S. District- Lakhisarai

Santosh Das @ Santosh Ravidas, Son Of Late Sahdev Das @ Sahdev
Ravidas, R/O Village- Teliyadih, P.S.- Jhajha, District- Jamui

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Md. Irshad, Advocate

For the Opposite Party : Mr.Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

4 02-02-2022 Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Perused the report as contained in letter no. 03 dated
13.01.2022 submitted by the learned Additional Sessions Judge
- III, Lakhisarai.

This is second attempt of the petitioner to obtain bail
in connection with Rail Jhajha P.S. Case No. 19 of 2020
registered for the offence under Section 395 and 412 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner has been involved in this case on the basis of the
statement of the co-accused Gautam Kumar Verma, who has
stated that this petitioner had visited his shop and on the pretext
of illness of his wife and requirement of money, he had placed



the ornaments for a sum of Rs. 7000/-. These ornaments are said to be the looted ornaments.

Learned counsel submits that his prayer for regular bail was earlier rejected after noticing that the victim has identified him, however, even after framing of charge on 02.03.2021 and after starting of physical court the informant has not turned up.

Learned counsel submits that in these circumstances considering that the prosecution has failed to produce the witnesses and that the petitioner is in custody for over two years and has got one criminal antecedent only, he deserves privilege of bail.

On the other hand, learned A.P.P. for the State submits that in this case if the petitioner is released on bail, there is every possibility that he may threaten the informant who claims to have identified this petitioner.

Considering the facts and circumstances, the two reports of the learned A.D.J.-III, Lakhisarai saying that the trial may take upto six months in conclusion then also saying that the prosecution witnesses have not been produced so far and summons have been issued to the witnesses, this court, while refusing to release the petitioner on bail, at this stage, directs the



learned trial court to fix the case on shorter dates and all endeavours be made to conclude the trial within four months from the date of communication of this order.

The petitioner is granted liberty to renew his prayer for bail if the trial is not concluded within four months from the date of communication of this order.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

