

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34314 of 2022

Arising Out of PS. Case No.-225 Year-2019 Thana- HASANPUR District- Samastipur

Mukesh Kumar @ Hitler Son Of Birendra Mahto Resident Of Village- Raun,
P.S.- Alauli, District- Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-01-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Section 379 of the Indian Penal Code.

It is alleged against the petitioner that he has

stolen away the motorcycle of the brother of the

informant.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely

been implicated in this case only on the basis of



suspicion. The F.I.R has been lodged against unknown and the name of the petitioner sprang up during course of investigation on the basis of extra judicial confession of the co-accused. The petitioner is languishing in custody since 16.04.2022.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner and submitted that co-accused person has named the petitioner. The seizure list as mentioned in para 38 of the case diary suggests that one stolen motorcycle and one mobile was recovered from the possession of the petitioner. Moreover, petitioner is accused in five other cases of similar nature.

In the facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner. The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial and conclude the same within a period of six months



from today. The petitioner is at liberty to renew his prayer for bail, if the trial is not concluded within six months.

(Sunil Kumar Panwar, J)

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