

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.40661 of 2023**

Arising Out of PS. Case No.-23 Year-2009 Thana- AURANGABAD TOWN District-  
Aurangabad

ANIL MUSHAR Son of Sipahi Mushar Resident of village - Pawai, P.S. -  
Mufasil Aurangabad, Distt. - Aurangabad, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ravindra Kumar, Advocate  
For the Opposite Party/s : Mr. Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
ORAL ORDER

2      21-07-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is an accused in connection with  
Aurangabad Town P.S. Case No. 23 of 2009 registered for the  
offences under section 395 of the Indian Penal Code lodged on  
17.01.2009 by the informant, Bibhuti Narayan Singh.

As per the prosecution story, the informant alleged  
that he called his wife to open the door whereafter he reached  
home on his motorcycle. As he tried to enter, the accused  
persons came and after threatening the informant, took away  
their belongings/ornaments/Rs. 25,000/-. Accordingly, the FIR.

The FIR was lodged in 2009 and finally the petitioner  
chose to walk into custody and in the said circumstances, no



relief can be granted to him as the trial could not be concluded due to his absence.

The bail application stands rejected with a direction to the Trial Court to conclude the Trial preferably within a period of one year in view of the fact that the matter is of 2009.

**(Rajiv Roy, J)**

Neha/-

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