

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40319 of 2023

Arising Out of PS. Case No.-29 Year-2019 Thana- NADI P.S. District- Bhagalpur

DEVA JHA @ DEVANAND JHA S/O- LATE CHUNCHUN JHA Village-
Chauhaddi Ps- Bhawanipur Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is an accused in connection with Naugachia (Nadi) P.S. Case No. 29 of 2019 registered for the offences under sections 379 and 34 of the Indian Penal Code lodged on 17.11.2019 by the informant, Pappu Singh Nishad.

The prosecution story, in brief, as per the written report of informant Pappu Singh is that he used to take ponds on lease for fishing from the government every year. All accused persons mentioned in the F.I.R. used to catch fish and commit theft of fish from ponds which the informant has taken on lease. It is further alleged that petitioner in this case also used to support the other accused persons in committing theft of fish.

It has been submitted by the learned Counsel for the



petitioner that he has been falsely implicated for which he has already suffered by being in custody since 14.11.2022 (as stated in paragraph 4 of the bail application).

Mr. Suresh Prasad Singh, learned APP for the State, on the other hand, has attributed to this Court to the learned Sessions Judge to show that the matter is of 2019 and the petitioner never appeared before the Police despite notice given under section 41(1) of the Cr.P.C. The charge sheet was submitted showing him as absconder and thus his release may prejudice the trial.

Considering the submissions put forward by the learned APP for the present, this Court is not inclined to extend him privilege of bail, which is accordingly rejected.

Since the matter is of 2019, the Trial Court is directed to expedite the trial and conclude the same preferably within a period of six months.

(Rajiv Roy, J)

Neha/-

U		T	
---	--	---	--

