

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66703 of 2022

Arising Out of PS. Case No.-553 Year-2021 Thana- SAHARSA SADAR District- Saharsa

Subhash Yadav, Son of Late Nand Prasad Yadav @ Chandeshwari Yadav,
Resident of village - Madhuban, Ward No.- 16, P.S.- Simri Bakhtiyarpur,
District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-01-2023 Earlier prayer for bail of the petitioner was rejected by this Court vide order dated 16.09.2022 passed in Cr. Misc. No. 19870 of 2022 with a direction to the learned trial court to conclude the trial within nine months. Further, the petitioner was given liberty to renew his prayer for bail, if the trial is not concluded within the aforesaid period.

Learned counsel for the petitioner submits that the co-accused Hareram Yadav has been granted bail by this Court vide order dated 01.11.2022 passed in Cr. Misc. No. 2711 of 2022 and the case of the petitioner is on lesser footing to the case of the co-accused who has been granted bail by this Court. Learned counsel further submits that the looted money was concealed by the co-accused Hareram Yadav in the house of the petitioner.



I do not think there is merit in the submission of the learned counsel for the petitioner. It is simply misconceived. The case of the petitioner is different from the co-accused Hareram Yadav who has been granted bail. No recovery has been shown from his conscious possession but the recovery has been made from the house of this petitioner. The petitioner was granted liberty to move before this Court after nine months if the trial would not conclude within time. But the petitioner moved before this Court at a premature stage.

In view of the aforesaid discussion I do not find any fresh ground to consider the prayer of the petitioner. Hence, the prayer for bail of the petitioner is rejected.

(Arun Kumar Jha, J)

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