

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22394 of 2024

Arising Out of PS. Case No.-294 Year-2021 Thana- SHAMBHUGANJ District- Banka

Kanahay Yadav @ Kanaiya Yadav @ Prabhunath Yadav @ Prabha Nath
Yadav S/o Late Sharvan Yadav R/o Village - Nayadih Kishanpur, P.S. -
Rajoun, Dist. - Banka,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Adv.

For the Opposite Party/s : Mr. Arvind Kumar Pandey, (APP)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 30-08-2024 Heard the parties.

2. The petitioner is in custody in connection with Shambhuganj P.S. Case No. 294 of 2021 for the offence under sections 395 and 397 of the Indian Penal Code lodged on 04.12.2021 by the informant, Mithlesh Kumar Jaiswal.

3. As per the prosecution story, the Branch Manager alleged that the accused persons barged into Bhagalpur Central Co-operative Bank, Shambhuganj and took away Rs. 18,39,192/-. Accordingly, the F.I.R.

4. The Investigating Officer, in course of investigation, went to Farakka where a CCTV footage of the loot was provided in which amongst others, the petitioner was also sighted.



5. Considering the aforesaid facts, a co-ordinate Bench had called on 14.06.2023 to provide a CCTV footage.

6. The same has been received and learned APP has drawn attention of the Court to the photo duly certified by the Bank Officials in which amongst others, the presence of petitioner can be seen.

7. In this case, a report was called for and according to letter no. 19 dated 15.07.2024, due to the petitioner being in custody at Jangipur jail, West Bengal, the trial could not proceed.

8. Learned counsel for the petitioner submits that now the petitioner is within the jurisdiction of the Trial Court as per his latest report.

9. Though learned counsel for the petitioner submitted that the police is going on implicating him in each and every bank dacoity, learned APP points out that the petitioner has criminal antecedent of same nature inasmuch as he is an accused in almost 10 cases.

10. Learned counsel for the petitioner submits that in some cases, he has been acquitted.

11. Considering the nature of allegation and the criminal antecedent, for the present, this Court is not inclined to



extend him the privilege of bail which is accordingly rejected.

12. Taking into account that the petitioner is in custody for almost two years, now he has come within the jurisdiction of the trial, a request is being made to expedite the same and take the trial to its logical conclusion at an earliest.

(Rajiv Roy, J)

Vijay Singh/-

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

