

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23969 of 2024

Arising Out of PS. Case No.-306 Year-2022 Thana- PAHARPUR District- East Champaran

Ajit Prasad Son of Late Yadav Lal Prasad Village- Ram Nagar Chhota Bankat
Ps- Majholiya Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mrs. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the Opposite Party/s	:	Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 21-06-2024 Heard learned counsel for the Petitioner and learned
APP for the State.

2. Petitioner seeks regular bail in connection with
Paharpur P.S. Case No. 306 of 2022 dated 25.08.2022 registered
for the offences punishable under Sections 395 and 412 of the
Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms
Act.

3. Mr. Ajay Kumar Thakur, learned counsel appearing
for the petitioner submits that the petitioner earlier preferred Cr.
Misc. No. 26383 of 2023 for the relief of regular bail which was
rejected by this Bench vide order dated 25.05.2023 and the fresh
grounds taken by the petitioner are his long custody period as he



has been languishing in jail since 26.08.2022 and non-progress in his trial despite charges having been framed upon him on 28.11.2023 as till date no prosecution witness has been examined and produced by the prosecution. Learned counsel further submits that one co-accused namely, Guddu Paswan has been granted bail by a co-ordinate Bench of this Court vide order dated 15.02.2024 passed in Cr. Misc. No. 72959 of 2023 with a condition to release him after the framing of charge. It is further submitted that though as per allegation, the petitioner is said to have been apprehended at the spot but any part of looted money was not recovered from his possession except a firearm.

4. Mr. Kalyan Shankar, learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. Heard both the sides and perused the materials on record. The instant matter relates to Bank Dacoity and the petitioner's prayer for bail has already been rejected on merit and he was apprehended near the crime scene on chase when he attempted to flee after committing the Dacoity and from his possession a firearm was also recovered, though the petitioner has been languishing in jail since 26.08.2022 but considering the incriminating materials against him as reflects from the FIR as well as his long criminal history, this Court is not persuaded



to take a liberal approach in respect of petitioner's prayer.
Accordingly, his second prayer for bail is also rejected.

6. However, considering the slowness of the prosecution in producing and examining the prosecution witnesses, the trial court is directed to expedite the trial of the petitioner and conclude the same in the next eighteen months.

7. The Superintendent of Police concerned is directed to monitor this case and ensure the production of the prosecution witnesses on each and every date in the trial of the petitioner.

(Shailendra Singh, J)

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