

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5663 of 2021**

Arising Out of PS. Case No.-567 Year-2019 Thana- KUDHNI District- Muzaffarpur

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KRISHNA KUMAR Son of Late Baleshwar Mandal Resident of Village -  
Majhauriya, Aadarsh Nagar, near Gumti No.5, P.S.- Sadar, Distt.-  
Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr. B. N. Pandey

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

3      17-02-2021                      Heard both sides.

The petitioner seeks bail in Kurhni @ Kudhani P.S.  
case No. 567/2019 registered u/s 394 of the IPC and u/s 25(1-b)  
a/26/35 of Arms Act.

The learned counsel for the petitioner submits that  
prayer of petitioner for bail was earlier rejected by this court  
vide order dated 28.05.2020 passed in Cr. Misc. No. 79148 of  
2019 but similarly situated accused Manish Kumar was allowed  
bail vide order dated 26.11.2019 passed in Cr. Misc. No. 75561  
of 2019 and the case of petitioner stands on same footing. The  
petitioner is in custody since 29.08.2019 but from perusal of the  
records, I find that petitioner and another accused were  
apprehended by the police and villagers. The victim of the crime



also reached there and identified the petitioner and another accused. It is a case of highway robbery and Rs. 3,48,000/- was robbed from the informant.

Taking into consideration the facts, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within six months from the receipt of this order.

The Superintendent of Police, Muzaffarpur is directed to ensure the attendance of prosecution witnesses in the trial court so that the trial must be concluded within six months.

If the trial is not concluded within six months, the petitioner, if so advised, may renew his prayer for bail.

Let a copy of this order be sent to the trial court and the Superintendent of Police, Muzaffarpur for information and needful.

**(Prabhat Kumar Jha, J)**

BKS/-

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