

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33758 of 2021

Arising Out of PS. Case No.-1052 Year-2019 Thana- NAGAR District- Vaishali

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Dharmendra Kumar @ Dharmendra Sahni, Son of Ram Ishwar Sahni,
Resident of Village - Dharampur, P.S.- Vaishali, District - Vaishali at Hajipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prakash Chandra Jha, Advocate

For the Opposite Party/s : Md. Mustaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

2 27-01-2022 The applicant/accused in Sessions Trial No. 131 of

2020 registered with Crime No. 1052 of 2019 in Vaishali Town

Police Station for the offences punishable under Sections 395

and 397 of the Indian Penal Code, by this application is seeking

his release on bail during course of the trial.

Heard the learned counsel appearing for the

applicant/accused. He argued that earlier bail application of the

applicant was rejected by a coordinate Bench of this Court

vide order dated 26.08.2020 passed in Criminal Misc. No.

22512 of 2020 with an observation that the applicant is having

criminal antecedent. The trial court was directed to expedite

the trial and conclude the same within a period of six months

but the same is not concluded within a period of six months. It

is further argued that except confessional statement, there is no



other evidence against the applicant.

The learned Additional Public Prosecutor opposed the application by contending that offence is serious.

I have considered the submissions so advanced and also perused the materials placed before me.

It is alleged against the applicant that he along with other co-accused had committed dacoity at the Muthoot Finance Company and looted the cash and gold from that office.

The earlier bail application of the applicant was rejected by a coordinate Bench of this Court. Entertaining the present bail application only on the ground that the trial is not concluded would amount to review of the same order which is not permissible in the light of the fact that the applicant is having following criminal antecedent as seen from paragraph 3 of the present bail application:-

- (i) Bidupur P.S. Case No. 374 of 2017.*
- (ii) Bidupur P.S. Case No. 337 of 2018.*
- (iii) Bidupur P.S. Case No. 329 of 2018.*
- (iv) Bidupur P.S. Case No. 428 of 2019.*
- (v) Bidupur P.S. Case No. 455 of 2019.*
- (vi) Rajapakar P.S. Case No. 165 of 2018.*
- (vii) Bidupur P.S. Case No. 507 of 2019.*
- (viii) Vaishali Sadar P.S. Case No. 442 of 2019.*



(ix) Bhagwanpur P.S. Case No. 231 of 2018.

These criminal antecedents are in respect of serious offences.

In this view of the matter, no case for grant of bail to the applicant/accused is made out. Accordingly, the present application stands rejected.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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