

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42370 of 2021

Arising Out of PS. Case No.-550 Year-2019 Thana- BARH District- Patna

=====

Dharmendra Kumar @ Doma @ Dome, Son of Raja Ram Yadav, Resident of
Village - Jaynandanpur, P.S.- Fatuha, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Deepak Kumar Singh, Advocate
For the Opposite Party/s : Mr.Ram Sevak Choudhary, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-07-2022 Learned counsel for the petitioner undertakes to remove
all the defects as pointed out by office within two weeks from today.

Heard learned counsel for the petitioner and Mr. Ram
Sevak Choudhary, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in
connection with Barh P.S. Case No. 550 of 2019 registered for the
offences punishable under Section 395 of the Indian Penal Code. He
is in custody in connection with this case after taking him on remand
w.e.f. 22.09.2020. The petitioner has got 18 criminal antecedents.

Learned counsel for the petitioner submits that it is a case
of false implication of the petitioner. His name has transpired in the
confessional statement of co-accused Shlok Yadav and Kundan
Kumar which were recorded in connection with Fatuha P.S. Case No.
83 of 2020 in which the petitioner is said to have been granted bail.
His name has also transpired in the confessional statement of the co-



accused Azad Kumar and Vikash Kumar in Shahjahanpur P.S. Case No. 10 of 2020 and in the said case also the petitioner has been granted bail.

Learned counsel for the petitioner submits that in this case the chargesheet has been submitted and there would be no chance of tampering with the evidence if the petitioner is released on bail.

Mr. Ram Sevak Choudhary, learned APP for the State is present and has opposed the prayer for bail of the petitioner. It is submitted that the petitioner is a member of the gang which is involved in committing loot of the vehicles inter-district on the point of pistols. It is submitted that the petitioner is having 18 cases on his head and if released on bail, it would not be possible to conclude the trial of the petitioner expeditiously. Presently the records are pending for framing of charge.

Having regard to the submissions noted hereinabove and the materials available on the record, this Court is of the considered opinion that in view of the huge criminal antecedents of the petitioner and the seriousness of the allegations in the present case, he does not deserve privilege of bail at this stage. The petitioner has been taken on remand in this case on 22.09.2020 which was the pandemic period and for that reason this Court will observe that the learned trial court shall now proceed to expedite the matter by framing of charge within a period of two months from the date of communication of this order and all endeavours be taken to conclude the trial within a period of



seven months thereafter.

All efforts be taken to conclude the trial preferably within a period of nine months from the date of communication of this order.

The Superintendent of Police, Patna within whose jurisdiction the Barh Police Station is falling is directed to ensure that the official witnesses be produced on the date fixed in the matter and the trial is not delayed due to inaction on the part of the prosecution.

If the trial still remains unconcluded within a period of nine months from the date of communication of this order for no reason attributable to the petitioner, he may renew his prayer for bail.

This application stands disposed of.

(Rajeev Ranjan Prasad, J)

vats/-

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

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

