

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35102 of 2022

Arising Out of PS. Case No.-53 Year-2021 Thana- BIND District- Nalanda

GANESH KUMAR S/O RANSHALOK YADAV Resident of Village-
Krishana Bigha, P.S.- Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Chandra Pandey

For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 21-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in Bind P.S. Case no.
53/2021 registered for the offences punishable under sections
395 and 412 of the Indian Penal Code.

As per allegation, four accused persons snatched key
of shop of the informant at the point of pistol and took away
cash of Rs 8000/- from the shop and Rs 10,000/- and gold 1 ½
Bhar from his house, his mobile phone and motorcycle.

The main submissions advanced by Sri Shashi
Chandra Pandey, the learned counsel appearing for the petitioner
are that against the petitioner, there are seven criminal cases



apart from the present case and in all criminal antecedents, petitioner was remanded and the said case relates to the year 2021, in the present case, petitioner has been languishing in jail for the last 15 months, against him investigation has been completed and after his arrest in the present case, police did not recover any looted article from possession of this petitioner and against him charge has been framed by the trial court.

Sri Ramchandra Singh, learned APP appearing for the State has opposed the prayer for bail.

Heard both sides, perused the FIR and the order of the learned court below. Present case relates to loot committed by four accused persons and as per FIR, accused persons surrounded the informant and thereafter by putting him in fear by showing pistol, looted Rs 10,000/- ornaments, mobile phone and motorcycle. The order of the learned court below goes to show that there is criminal antecedent of several cases and during investigation, the informant identified the petitioner and co-accused persons in test identification parade.

Considering these facts as well as long criminal history of the petitioner in the opinion of this court, petitioner does not deserve privilege of bail and accordingly his prayer for bail stands rejected.



Trial court is directed to expedite the trial of the petitioner and take steps to conclude the same in the next one and half year. If trial of the petitioner is not concluded within the stipulated period then the petitioner may renew his prayer for bail.

(Shailendra Singh, J)

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