

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55503 of 2021

Arising Out of PS. Case No.-58 Year-2020 Thana- RAJNAGAR District- Madhubani

Akash Kumar, S/o Satya Narayan Mukhiya, R/o Village-Korahiya, P.S.-
Jainagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate
For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

5 09-03-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Rajnagar
P.S. Case No.58 of 2020 initially registered for the offence
punishable under Section 395 of the Indian Penal Code and
subsequently Sections 397 and 412 of the Indian Penal Code has
been added.

The prayer for bail has been renewed after the earlier
rejection by this Court on 05.03.2021 in Cr.Misc. No.39441 of
2020.

The informant (jeweller) was accosted by three
persons carrying firearms. He has lodged the FIR alleging that
they have looted the ornaments and cash from him.

The Court considering the fact that the petitioner has
two antecedents and looted ornaments were recovered from his



possession, had rejected his prayer for bail on the last occasion. The claim for parity with Shivchandra Yadav was rejected as against him there is only allegation of having plotted the occurrence. In the meantime, it is submitted by the learned counsel for the petitioner that another co-accused Abhishek Kumar Yadav has been allowed bail in Cr.Misc. No.19198 of 2021, vide order dated 28.10.2021.

The Court does not find any reason to take a different view today, having regard to the fact of petitioner's antecedents and the allegations, including recovery of stolen jewellery from the petitioner.

The prayer for bail is rejected.

However, this Court would observe that the trial court should proceed expeditiously so as to conclude the trial without any undue delay or unnecessary adjournments.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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