

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59874 of 2021

Arising Out of PS. Case No.-310 Year-2021 Thana- MAHUA District- Vaishali

Ramadhar Kumar, S/o Harendra Rai @ Harindra Ray Resident of Village -
Lakshminarayanpur, P.S. - Tisiauta, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

6 01-08-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Mahua P.S. Case No.310 of 2021 registered under Sections
399,402,413 and 414 of the Indian Penal Code.

As per the FIR, the police came to know that some
miscreants have looted a four wheeler vehicle from Jandaha.
Thereafter, the police party was able to nab that four wheeler
vehicle and caught hold of this petitioner and one Golu Kumar
and upon search, countrymade pistol and live cartridge were
recovered from him. In this way, he came into judicial custody.
It is further alleged in the First Information Report that on his
confession, the informant raided the house of accused Alok



Kumar and on search a Apache motorcycle without registration number has also been recovered from him.

In the bail application in para-3 it was stated that the petitioner has only one criminal antecedent. On 18.04.2022 this Court had called for the case diary and criminal antecedent report of the petitioner.

The case diary and the criminal antecedent report of the petitioner was received in April, 2022. It is only then that the supplementary affidavit has been filed stating therein that petitioner is actually accused in six criminal cases which are as follows:

- (i) Tisiauta P.S. Case No.53/2021 offences under Section 379 IPC;
- (ii) Tisiauta P.S. Case No.35/2021 offences under Section 392 IPC he is on bail;
- (iii) Tisiauta P.S. Case No.65/2021 offences under Section 392 IPC;
- (iv) Tisiauta P.S. Case No.05/2021 offences under Section 394 and 307 IPC he is on bail;
- (v) Tisiauta P.S. Case No.108/2021 offences under Section 30(a)(b)(c) Bihar Excise act, he is on bail;



(vi) Jandaha P.S. Case No.109/2021 offences
under Section 392 IPC.

Considering the fact that the petitioner made false statement in the bail application about his criminal antecedent as also the fact that he is accused in six criminal cases of the same nature beside the fact that on his confessional statement the house of Alok Kumar was raided and a motorcycle was recovered/seized, this Court for the present is not inclined to grant him privilege of bail, which is accordingly rejected.

The Trial court is directed to speed up the Trial and conclude the same at an earliest.

(Rajiv Roy, J)

Prakash Narayan /-

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