

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16618 of 2023

Arising Out of PS. Case No.-301 Year-2021 Thana- KOCHADHAMAN District- Kishanganj

Mukleshwar Rahman @ Alam Son of Late Md. Rafique @ Rafik, R/o Pipla,
Ward no. 5, P.S- Kishanganj Dist- Kishanganj Petitioner/s
Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-05-2023 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kochadhaman P.S. Case No. 301 of 2021 dated 02.11.2021
lodged under Section 392 of the I.P.C. and later on during
investigation section 392 of the IPC has been converted into the
sections 395 and 412 of the IPC.

As per prosecution story, the case has been filed
against three known and unknown accused persons.

Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R. rather his name has figured
in this case by virtue of the confessional statement of the co-
accused. Counsel further submits that during investigation and

upon completion of final report, charge sheet has been submitted under Sections 395 and 412 of the I.P.C.. Counsel further submits that the petitioner has five criminal antecedent and out of five criminal cases, in three cases he is on bail and in two cases he is persuading for bail. Counsel further submits that petitioner is in custody since 19.01.2022.

Learned counsel for the State opposes the prayer for bail and submits that the name of the petitioner has figured in five criminal cases and all of similar in nature.

Counsel for the petitioner submits that other co-accused persons have been granted bail in this matter and some of the record he has attached in this case but from the bail order, it transpires that it has not figured that whether those accused persons have criminal antecedent or not but present petitioner has five criminal antecedent.

In this view of the matter, I am not inclined to enlarge the petitioner on bail, therefore, bail petition of the petitioner is hereby rejected but direction is hereby given to the trial court to complete the trial within nine months from today.

(Dr. Anshuman, J.)

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