

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48455 of 2022

Arising Out of PS. Case No.-1052 Year-2019 Thana- NAGAR District- Vaishali

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Dharmendra Kumar @ Dharmendra Sahni, Son of Ram Ishwar Sahni,
Resident of Village - and P.O.- Dharampur, P.s.- Vaishali, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kishor, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 10-05-2023 The applicant/accused in Sessions Trial No.131 of 2020 registered in pursuant to Crime No.1052 of 2019 in Hajipur Town Police Station for the offences punishable under Sections 395 and 397 of the Indian Penal Code, by this application has renewed his prayer for grant of bail. His earlier bail application was rejected on 27.01.2022.

The only ground urged by the learned counsel for the applicant is delay in disposal of the trial and that the co-accused with similar role are already released on bail. It is also urged that similarly situated co-accused, namely, Chanchal Kumar, Sita Devi, Ampa Devi and Rama Shankar Rai as well as Maju Devi are directed to be released on bail by the Coordinate Benches of this Court.

The learned Additional Public Prosecutor has



opposed the application.

I have considered the submissions so advanced. I have also perused the orders granting bail to the co-accused. Those orders are without mentioning any reason for grant of bail. This practice is depreciated by the Hon'ble Supreme Court in the matter of **Sunil Kumar Vs. State of Bihar** passed in **Cr. Appeal No.95 of 2022**. Hence, it cannot be said that the principle of parity is applicable to the present applicant also. Moreover, many of them are woman who had no role in actual *dacoity*.

According to the prosecution case, there was a *dacoity* at Muthoot Finance Company in which huge quantity of cash and gold came to be looted. The trial is in progress. Several witnesses are examined. In this view of the matter, no case for grant of bail is made out. Hence, the following orders:-

I. The application is rejected.

II. The Trial Court to keep in mind the mandate of Section 309 of the Cr.P.C. and to proceed with the on going trial.

(A. M. Badar, J)

Saurabhkrsinha/
Aditi/-

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