

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57399 of 2023

Arising Out of PS. Case No.-159 Year-2021 Thana- JANDAHA District- Vaishali

RAKESH KUMAR @ RAKESH MAHTO @ DABAL ZERO S/O SITA
RAM MAHTO RESIDENT OF VILLAGE- SHAHPUR PATORI,
HASANPUR SURAT, P.S.- PATORI, DISTT.- SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Adv.

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 08-12-2023 1. Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The present petition is by way of second attempt at
the behest of the petitioner for grant of regular bail in
connection with Jandaha P.S. Case No.159 of 2021, for the
offence punishable under Sections 392 and 411 of the Indian
Penal Code, inasmuch as the earlier prayer of the petitioner for
grant of regular bail was rejected by this Court vide order dated
02.02.2023, passed in Criminal Miscellaneous No. 51974 of
2022.

3. The allegation is regarding unknown miscreants
having waylaid the informant on the alleged date and time of
occurrence, whereupon they had snatched the motorcycle,
mobile phone and a cash amount of Rs. 1,500/- as also some



other articles from the informant.

4. The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 14.09.2021, hence a sympathetic view be taken and the petitioner be granted the privilege of regular bail.

5. Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail and has submitted that the petitioner is an accused in 13 other criminal cases, hence he is not entitled to the privilege of regular bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, this Court finds that there is no change in circumstances so as to warrant re-consideration of the prayer of the petitioner for grant of regular bail, apart from the fact that the petitioner appears to be a veteran criminal, inasmuch as he is stated to be accused in 13 other criminal cases, hence, I do not find any merit in the present petition, thus the same stands dismissed.

(Mohit Kumar Shah, J)

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