

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66572 of 2023

Arising Out of PS. Case No.-391 Year-2021 Thana- BANIAPUR District- Saran

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SURAJ KUMAR S/o- TARKESHWAR SAH Village- Mubarakpur Ps-
Rivilganj Dist- Saran Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Kumar, Adv

For the Opposite Party/s : Mr.Ajay Kumar No. 2, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Baniyapur P.S. Case No. 391 of 2021 registered on 06.10.2021
lodged under Sections 394 of the I.P.C.

3. As per the prosecution case, F.I.R. has been lodged
against unknown accused persons against whom allegation of
loot of jewelery from the informant's house who use to sell
articles on bicycle.

4. Counsel further submits that petitioner is innocent
and has committed no offence. He further submits that petitioner
has been remanded in this case on suspicion. He is in custody
since 28.01.2022 and charges has already been framed. Counsel
submits that petitioner have 12 criminal antecedent and he is



bail in all cases. Counsel further submits that petitioner was not put on T.I.P. Counsel submits that some accused persons have been granted bail by this Court and also as by Co-ordinate Bench which is Annexure-2.

5. Learned counsel for the State opposes the prayer for bail and submits that petitioner has twelve criminal antecedent and most of the cases are of same nature.

6. It transpires to this Court that the accused person who have granted bail from this Court as well as from the Coordinate Bench of this Court, the said accused person have no criminal antecedent and the other co-accused who were granted bail were having only two criminal antecedent but total twelve criminal antecedent is there on the present petitioner.

7. In the present facts and circumstances of this case, I am not inclined to grant bail to the petitioner.

8. Accordingly, the application for regular bail is dismissed. However, the petitioner will be at liberty to renew his prayer for bail after one year if the trial is not concluded.

(Dr. Anshuman, J)

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