

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68448 of 2023

Arising Out of PS. Case No.-12 Year-2019 Thana- GHOGHARDIHA District- Madhubani

Amit Nayak @ Raj @ Langra, S/o Late Om Prakash Nayak R/O Village-
Muriya, P.S- Sadar (O.P. Bhalpatti), Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Ghoghardiha P.S. Case No. 12 of 2019, lodged on 07.02.2019
under Sections 399, 400, 401/120 (B) of the Indian Penal Code.

3. As per the prosecution case, the FIR has been lodged
against 6 named accused persons including the present petitioner.
The name of the petitioner has been disclosed by co-accused,
Raman Yadav who disclosed the involvement of the present
petitioner in the commission of various crimes.

4. Learned counsel for the petitioner submits that
similarly situated co-accused persons have been granted bail by
co-ordinate Bench of this Court, as contained in Annexure-2 series
to the bail petition. He also submits that the only thing against the
present petitioner is that his criminal antecedent is not clean as



there are 5 criminal cases pending against him. He further submits that the petitioner is in custody since 24.04.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that at the time of considering the bail to the petitioner, the criminal antecedent be taken into consideration. He further submits that upon perusal of the order of the other co-accused persons, it transpires to this Court that none of the accused have 5 criminal antecedents.

6. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner in connection with Ghoghardiha P.S. Case No. 12 of 2019, pending before the learned A.C.J.M., Jhanjharpur, Madhubani is hereby rejected.

8. However, the petitioner is granted liberty to move for regular bail after framing of charge when the Trial Court shall release him on bail imposing its own conditions so that he may not evade his appearance during trial.

9. With this observation, the bail application stands disposed of.

(Dr. Anshuman, J.)

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