

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31787 of 2024

Arising Out of PS. Case No.-399 Year-2023 Thana- LAHERIYASARAI District- Darbhanga

Pappu Kumar, aged about 30 years, Gender-Male, Son of Uma Shankar Sahni, Resident of Village- Madhuban Kanti, P.S.- Meenapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

3 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Laheriya Sarai P.S. Case No. 399 of 2023 instituted for the offences punishable under Sections 420, 414, 403, 411, 413, 421, 424, 467, 468, 472/34 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, it is alleged that petitioner and the co-accused are habitual of withdrawing the others money from ATM machine with tricks or on pretext of helping. Pistol, Motorcycle and a lot of ATM cards of different banks has been recovered from the possession of the petitioner and co-accused.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He further submits that one loaded country made pistol and 50 ATM cards of different bank and Rs. 1,10,000/- cash was recovered from the possession of the petitioner. He next submits that the petitioner has been made accused only on the basis of past criminal history. He further submits that the seizure list witnesses are the official witness and not the independent witness. Petitioner has got ten criminal antecedent as stated in para 3 of the petition and is in custody since 11.08.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the case diary, FIR and also perused the impugned order dated 09.11.2023 passed by the learned Additional District and Sessions Judge-Vth, Darbhanga, it appears that petitioner is a habitual offender and there are similar nature of criminal offences against him. So considering the all aspects and seriousness of the case, I am not inclined to grant bail to the petitioner.

7. Prayer for regular bail of the petitioner is hereby rejected.

8. However, the learned trial Court is directed to



conclude the trial preferably within a period of six months from the date of receipt of a copy of this order and if the trial is not concluded the petitioner may renew his prayer for bail before the trial Court and the trial Court shall grant bail to the petitioner.

(Ramesh Chand Malviya, J)

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