

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45368 of 2024

Arising Out of PS. Case No.-240 Year-2022 Thana- BELA District- Sitamarhi

1. Rakesh Kumar Late Sonelal Paswan R/O Village-Majhaura(Chandi Rajwara), P.S.-Bela, Distt-Sitamarhi(Bihar)
2. Mukesh Kumar Paswan S/O Late Sonelal Paswan R/O Village-Majhaura(Chandi Rajwara), P.S.-Bela, Distt-Sitamarhi(Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 18-09-2024 Heard the parties.

2. The petitioners are in judicial custody in connection with Bela P.S. Case No. 240 of 2022 for the offence punishable under Section 395 of the Indian Penal Code lodged on 22.09.2022 by the informant, Md. Sharif Alam.

3. As per the prosecution story, the informant alleged that when he alongwith his family members were having dinner, 10 unknown dacoits armed variously broke the lock of the gate, entered the house and took away Rs. 1,69,000/-, gold ornaments worth Rs. 2,66,000/- as also mobile phone. Before leaving the place, they threw bomb in the campus which followed the FIR.



4. Learned counsel for the petitioner submit that only because they have criminal antecedent, implicated. No test identification parade has been made though nothing has been stated about the recovery/seizure.

5. Learned APP pointed out that both the petitioners have 10 and 14 criminal cases respectively of the same nature.

6. Considering the aforesaid facts as also that the FIR is of the year 2022 whereas the petitioners have been remanded only in January, 2024, it would be appropriate that both of them face trial.

7. In view of the fact that they are in custody and have multiple criminal cases of the same nature, the Trial Court is directed to expedite the trial and take the same to its logical conclusion.

8. The bail application stands rejected.

(Rajiv Roy, J)

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