

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58964 of 2024

Arising Out of PS. Case No.-316 Year-2018 Thana- SONO District- Jamui

Shivam Kumar Burnwal @ Golu S/O Late Ramesh Burnwal R/O Village-Dhamna, P.S- Jhajha, Distt.- Jamui.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 29-11-2024 Heard the learned counsel for the parties.

2. This is the 2nd attempt of the petitioner. Earlier the bail application of the petitioner was rejected vide order dated 17.10.2023 passed in Cr. Misc. No. 67352 of 2023.

3. The petitioner seeks regular bail in a case registered for the offence under Sections 395 of the Indian Penal Code.

4. The following order was passed on 17.10.2023 in Cr. Misc. No. 67352 of 2023 :-

Heard learned counsel for the petitioner and learned APP for the State.

2. This application for grant of regular bail in connection with S.Tr. No. 207 of 2023 arising out of Sono P.S. Case No. 316 of 2018 registered for the offence punishable under Sections 392, 395 of the Indian Penal Code.

3. As per prosecution, unknown criminals looted the petrol pump.

4. Learned counsel for the petitioner submits that the F.I.R was registered against unknown. He further submits that he has falsely been implicated in this case.

5. Unknown criminals looted the petrol pump and during investigation name of the



petitioner has come to connect the petitioner with the crime. Petitioner has four more criminal antecedents of similar nature.

6. In view of the aforesaid fact, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

5. Mr. Ajit Kumar, learned counsel for the petitioner has pressed the bail application on the ground that petitioner is in custody 21.10.2021 and the trial is not progressing.

6. From the report of the Superintendent of Police, Jamui, it appears that co-accused who were granted bail have absconded and, therefore, the trial of the petitioner is being delayed.

7. In these circumstances, this application for regular bail is again rejected with a direction to the court below to separate the trial of the petitioner and conclude the same at the earliest.

8. The Superintendent of Police, Jamui will see to it that the witnesses are produced regularly in the trial so that the trial of the petitioner is not delayed.

9. If the trial is delayed by the prosecution, the petitioner will be at liberty to renew his prayer for bail.

(Sandeep Kumar, J)

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