

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60368 of 2024

Arising Out of PS. Case No.-749 Year-2023 Thana- NAWADA District- Nawada

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Raja Kumar Son Of Ramlal Yadav Village- Naya Tola, Jurabganj, P.S.-
Kodha, District- Katihar, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Shilpi Keshri, Advocate

For the State : Mr. Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 20-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the third attempt for bail of the petitioner as
earlier such prayer was rejected by order dated 30.08.2023 in
Cr. Misc. No. 56638 of 2023 and order dated 03.05.2024 passed
in Cr. Misc. No. 19249 of 2024 respectively.

3. The petitioner seeks bail in connection with
Nawada P.S. Case No.749 of 2023 registered for the offence
punishable under Sections 467, 468, 471, 420 and 414/34 of the
Indian Penal Code.

4. The petitioner and others were caught roaming near



the State Bank of India on a motorcycle. On search, one master key, some money and forged Aadhar Card have been recovered. The petitioner has four criminal antecedents. He is in custody since 20.05.2023.

5. Learned counsel for the petitioner submits that the trial is not proceeding and is on for appearance. She has taken this Court to the order-sheet of the trial Court. From the order-sheet, it appears that the co-accused who have been granted bail are not appearing before the trial Court and are delaying the trial.

6. In these circumstances, the petitioner cannot take advantage of the non-appearance of the other co-accused who are on bail.

7. Accordingly, this application is again dismissed.

8. The trial Court is directed to take all coercive steps for appearance of the other co-accused who are on bail.

9. The Superintendent of Police, Katihar is directed to produce the two accused who are not appearing before the trial Court so that the trial proceeds. He will also see to it that the witnesses appear on the date fixed.

10. Let a copy of this order be communicated to the Superintendent of Police, Katihar forthwith through FAX or



email for its compliance.

11. If the trial is delayed by the prosecution, the petitioner may renew the prayer for bail.

(Sandeep Kumar, J)

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