

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65143 of 2023

Arising Out of PS. Case No.-95 Year-2015 Thana- HATHAURI District- Samastipur

BIRENDRA SADA @ BIREN SADA, Son of Ram Ashish Sada, R/o vill -
Khetapur, P.S. - Sarai Ranjan, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

5 08-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Tr. No. 300 of 2022 arising out of Hathauri P.S. Case No. 95 of
2015 for the offence registered under Sections 392 of the I.P.C.

3. Allegation against the petitioner and the other co-
accused persons is of committing loot on gun point with the
informant while he was on his shop and fled away.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has been
falsely implicated in this case. Save and except the confessional
statement of the petitioner there is no material against the
petitioner. Neither the petitioner was arrested on spot nor any
incriminating article has been recovered from his conscious



possession. He has been remanded in this case from the other case and in this case charge has already been framed on 17.07.2018 but the trial of the case has not been concluded. Although the petitioner is accused in 29 cases, however, he has been acquitted in 11 cases and he is on bail in 17 cases.

5. Learned APP appearing for the State has opposed the prayer of bail of the petitioner and submits that there is enough material against the petitioner and the petitioner is a habitual criminal having 29 criminal antecedents.

6. It appears from the report of the court concerned it is expected that the trial is likely to be concluded in three months.

7. Having heard learned counsel for the parties and considering the fact and circumstances and the criminal antecedents of the petitioner and stage of trial, this Court is not inclined to grant the privilege of regular bail to the petitioner and, as such, his prayer for bail is rejected.

(Sunil Dutta Mishra, J)

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