

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76586 of 2023

Arising Out of PS. Case No.-536 Year-2021 Thana- KORHA District- Katihar

MITHUN KUMAR SON OF BUCHI MANDAL @ BACHCHI MANDAL
R/O VILLAGE- BHIMDAS TOLA, TINTANGA, P.S.- RANGRA, DIST.-
BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh

For the Opposite Party/s : Mr.Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Korha
P.S. Case No. 536 of 2021 registered for the offence punishable
under Section 392 of the Indian Penal Code.

3. Initially the present application was filed as a fresh
case without mentioning in paragraph II of the case that the
prayer for bail of the petitioner was earlier rejected by this Court
vide order dated 23.05.2023 passed in Cr. Misc. No. 26652 of
2023.

4. The order dated 23.05.2023 reads as follows:-

*“Heard learned counsel appearing on
behalf of the petitioner and learned APP appearing on
behalf of the State.*

Let the defect(s), if any, be removed within a



period of four weeks from today.

The petitioner seeks bail in connection with Korha P.S. Case No. 536 of 2021 registered for the offence under Section 392 of the Indian Penal Code.

The petitioner is involved in the day light loot and he has criminal antecedents also.

In view of the facts, as mentioned above, this Court is not inclined to grant bail to the petitioner.

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

The Court below is directed to expedite the trial.”

5. The affidavit in the earlier bail application was sworn by the father of the petitioner and again in this bail petition also the affidavit has been sworn by the father of the petitioner suppressing the fact of earlier rejection of the prayer of the petitioner for grant of bail. This suppression was intentionally done for getting bail from this Court anyhow.

6. The involvement of the petitioner in a day light loot has come during investigation and he has four criminal antecedents also, as per his statement in the petition.

7. Considering the serious allegations levelled against the petitioner, the criminal antecedents and the suppression of facts, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this application is dismissed.

9. The Registrar General, Patna High Court is directed to register an FIR against the petitioner and his father for sup-



pression of facts before this Court within two weeks from today
and file a compliance report.

(Sandeep Kumar, J)

vikas/-

U			
---	--	--	--

