

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24620 of 2025

Arising Out of PS. Case No.-210 Year-2023 Thana- SAHIYARA District- Sitamarhi

Kundan Kumar @ Kundan Das S/o Dharikshan Das @ Dharishan Das R/o
village - Matiyar Khurd, P.S. - Sahiyara, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 20-06-2025 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. This is the 2nd attempt of the petitioner. Earlier the
bail application of the petitioner was rejected *vide* order dated
01.10.2024 passed in Cr. Misc. No. 64913 of 2024.

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

4. The following order was passed on 01.10.2024 in
Cr. Misc. No. 64913 of 2024:-

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

2. The petitioner seeks bail in connection
with Sessions Trial No. 370 of 2024 arising out of
Sahiyara P.S. Case No. 210 of 2023 registered for the
offences under Sections 395 of the Indian Penal Code.

3. As per the prosecution case, unknown
criminals have looted Rs. 48,800/-, and motorcycle from
the informant.

4. The name of the petitioner has come in
the self inculpatory statement of the co-accused. Apart
from that, one Puja Devi has also named the petitioner
as a liner who was giving the informant about the



movement of persons travelling on the road.

5. Looted motorcycle has been recovered from thehouse of one Prabhat kumar, who has also taken the name of the petitioner in his self-inculpatory statement.

6. The petitioner is in jail since 2.3.2024 and he is accused in five more cases of similar and serious nature.

7. Considering the aforesaid facts, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this application is dismissed.

9. The Court below is directed to expedite the trial of the petitioner and conclude the same at the earliest.

5. The trial has started. Three witnesses have already been examined.

6. In view of the judgment of the Hon’ble Supreme Court in the case of *X vs. State of Rajasthan & Anr., 2024 SCC Online SC 3539* observing that once the trial has started and the witnesses are being examined, the accused persons should not be granted bail ordinarily, this application for regular bail is hereby rejected.

(Sandeep Kumar, J)

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