

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27813 of 2016**

Arising Out of PS.Case No. -173 Year- 2015 Thana -SULTANGANJ District- PATNA

=====

Rajesh Kumar @ Dilkhush Singh @ Dilkhush Son of Dhananjay Singh,  
resident of Village- Daulachak, P.S- Kashichak, District- Nawada.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

=====

**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Bharat Lal

=====

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR**  
**SRIVASTAVA**  
**ORAL ORDER**

9      19-12-2016                      Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the  
offences punishable under Sections 302, 201, 34 of the Indian  
Penal Code.

The present case was lodged against unknown but in  
course of investigation, the name of petitioner surfaced in this case  
and accordingly, he has been made accused in the present case.  
However, it is informed that prior to registration of the present  
case, Bahadurpur P.S. Case No. 142 of 2015 was lodged against  
unknown person for the offences punishable under Sections  
364(A), 302, 201/34 of the Indian Penal Code in respect of  
kidnapping and murder of deceased of the present case.



It is apparent from the aforesaid fact that for the same occurrence, two separate cases were lodged and in Bahadurpur P.S. Case No. 142 of 2015, the prayer for bail of the petitioner has already been rejected by this Court vide order dated 29.09.2016 passed in Cr. Misc. No. 28042 of 2016.

In course of argument, learned counsel appearing for the petitioner seeks permission for withdrawal of the present case with liberty to move before the trial court for amalgamation of both the above stated cases.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this petition filed in connection with Sultanganj P.S. Case No. 173 of 2015 stands dismissed as withdrawn.

However, the learned court below shall explore the possibility of amalgamation of both the above stated cases, if law requires to do the same.

**(Hemant Kumar Srivastava, J)**

SHAHZAD/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

