

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41916 of 2017

Arising Out of PS.Case No. -811 Year- 2016 Thana -BIHTA District- PATNA

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Rajnish Kumar, S/o Sri Umesh Sharma @ Shri Umesh Singh, R/o Village-
Paltu Chhatni, P.S.- Naubatpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi

For the Opposite Party/s : Mr. Dr. Indivar Kumari

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 18-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Bihta P.S.
Case No. 811 of 2016 for offences punishable under Sections
302 and 34 of the Indian Penal Code and 1860 and 27 of the
Arms Act.

The prosecution case, as lodged by the informant, is
that while his brother Anjani Kumar @ Mithu had gone to the
veterinary medical shop to purchase medicine 6-8 miscreants
fired and killed him.



It has been submitted by the learned counsel for the petitioner that he is innocent, not named in the F.I.R. and his name surfaced during investigation and on his confessional statement as well as confessional statement of other accused of being inimical terms due to political election. He submits that just because the petitioner has a criminal antecedent the petitioner has been implicated in the aforesaid case, charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner and that the petitioner is languishing in judicial custody since. 26.05.2017.

However, learned APP for the State opposes the prayer for bail stating therein that during investigation the name of the petitioner has surfaced and the petitioner is a veteran criminal and that there are as many as 6 cases against the petitioner all of which are for heinous offence like murder.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Bihta P.S. Case No.811 of 2016, pending in the court of learned Additional



Chief Judicial Magistrate-1, Danapur Patna.

The application is, accordingly, rejected.

(Nilu Agrawal, J)

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