

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43501 of 2017

Arising Out of PS.Case No. -11 Year- 2016 Thana -C.B.I CASE District- MUZAFFARPUR

=====

Rajesh Kumar son of Sri Shankar Prasad, resident of Babunia Road, P.S.-
Siwan Town, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Central Bureau of Investigation through S.P., C.B.I. SCII New Delhi.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shekhar Singh
For the C.B.I. : Mr. Bipin Kumar Sinha

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

9 02-01-2018 Heard Mr. Shekhar Singh, learned counsel for

the petitioner and Mr. Bipin Kumar Sinha, learned counsel for the

C.B.I.

The petitioner seeks bail in connection with Case

No. RC 11 (S)/2016 instituted for the offences under Sections

120B, 302/34 of the Indian Penal Code read with Section 27 of the

Arms Act.

It has been submitted on behalf of the petitioner

that initially, for the death of one journalist by the name of Rajdeo

Ranjan, a regular case by the local police was registered for

investigation. Later, the investigation of the case was handed over

to the Central Bureau of Investigation. Though the petitioner has

not been named in the F.I.R but later his complicity transpired



during the course of investigation. It came to light that the petitioner had, before the occurrence, participated in the reconnaissance which was made for knowing the whereabouts of the deceased. The petitioner is also alleged to have been in the company of people who had actively conspired to kill the deceased. The weapon of assault was also recovered from one of the co-accused persons.

Mr. Shekhar Singh, learned advocate has stressed on the fact that one of the co-accused persons viz Azaharuddin Beig @ Laddan Miya whose bail has been rejected by a Bench of this Court had criminal antecedent, whereas petitioner is an educated person and is not at all concerned with the affairs of the other accused persons against whom there are definite allegations of conspiring and killing the deceased.

Mr. Bipin Kumar Sinha, however, on the other hand, has submitted that the C.B.I. has submitted charge-sheet against the petitioner and the case has been committed to the Court of Sessions for trial.

Considering the nature of accusation against the petitioner which transpired only during the course of investigation, this Court is not inclined to grant bail to the petitioner. However, considering the period of custody of the petitioner which is from



25.06.2016, it is observed that the Trial Court shall take all possible steps to conclude the trial at the earliest.

The prayer for bail is rejected with the aforesaid observation.

(Ashutosh Kumar, J)

Shageer/-

U		T	
---	--	---	--

