

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24530 of 2018

Arising Out of PS.Case No. -85 Year- 2015 Thana -KARJA District- MUZAFFARPUR

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Suman Shrivastava @ Sudhansu Suman S/o Vijay Krishna Sinha, R/o
Mohalla- Jhitkahiya, P.S.- Brahampura, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 04-07-2018 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with
Karja PS case no. 85 of 2015 instituted for the offences punishable
under Sections 341, 307, 302, 120(B)/34 of Indian Penal Code.

The allegation against the accused persons is
conspiring together and lobbing bomb on the informant and others
resulting in death of an Advocate and a small child. It is alleged
that the said Advocate was responsible for undertaking case
against the veteran criminals and was doing *pairvi* on behalf of the
informant of this case.

The learned counsel for the petitioner has
submitted that there is no material against the petitioner herein and
the petitioner was in custody at the time of the said occurrence. It
is further submitted that the police, after raid, had arrested several



persons and the petitioner is one amongst them. The petitioner is said to be languishing in custody since 20.11.2017.

I have heard the learned counsel for the petitioner and have perused the case diary, from which it is apparent that there is specific allegation of the petitioner conspiring from jail premises and giving effect to the said incident which has resulted in the death of an Advocate who was pursuing his professional duties and has also resulted in death of a child. It appears that the petitioner has a very bad criminal antecedent and is a veteran criminal which is apparent from para 3 of the present petition. It is a trite law that the social concern is to be given priority over the personal liberty of such veteran criminals. Reference in this regard be had to the judgment rendered by the Hon'ble Apex Court in the case of *Ash Mohammad v. Shiv Raj Singh @ Lalla Babu & Anr.* reported in *(2012) 9 SCC 446*.

In view of the aforesaid, I do not find any merit in the present petition. Accordingly, the prayer of the petitioner for grant of regular bail is hereby rejected.

(Mohit Kumar Shah, J)

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