

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29447 of 2019**

Arising Out of PS. Case No.-499 Year-2017 Thana- RUPASPUR District- Patna

Nandan Kumar Singh @ Nitish Kumar, aged about 21 years (Male) Son of Late Rajendra Singh Resident of Village - Dariyapur, P.S.- Dhobaha O.P. (Ara Muffasil), Dist.- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Ranvijay Narain Singh, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, Advocate

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      23-08-2019                      Heard learned counsel for the petitioner and  
  
learned counsel representing the State.

Petitioner, in the present case, is seeking regular bail in connection with Rupaspur P.S. Case No. 499 of 2017 instituted for the offence under Sections 399/402 of the Indian Penal Code along with Section 25(1-b)a/26/35 of the Arms Act, pending in the court of learned Additional Chief Judicial Magistrate – II, Danapur.

Learned counsel for the petitioner submits that this court had rejected the prayer for regular bail of the petitioner vide order dated 02.07.2018 passed in Cr. Misc. No. 37160/2018 on noticing that the petitioner has got a criminal antecedent being involved in as many as 12 cases



of serious nature.

It is his submission that the co-accused who is an accused inasmuch as 21 cases has been granted privilege of regular bail by a learned coordinate Bench of this court.

Learned counsel for the State has opposed the prayer for regular bail of the petitioner. It is submitted that the petitioner is an accused in the cases registered under Sections 302, 396, 307, 384 & 386 of the Indian Penal Code and various other sections of the I.P.C. and Arms Act. In two of the cases of the year 2017, he has not been granted bail till date. It is submitted that considering the criminal antecedent of the petitioner if he is enlarged on bail he will be a threat to public.

Considering the facts and circumstances of the case whereunder the petitioner is an accused in 12 cases of serious nature and the present case is also pending for trial, this court would not be willing to exercise it's discretion to grant regular bail to the petitioner at this stage because the court is of the opinion that releasing the petitioner at this stage would only delay the conclusion of trial. The fact that one of the co-accused has been granted regular bail by



learned coordinate Bench of this court cannot be a reason for this court to exercise the discretion in favour of the petitioner.

This application is, thus, dismissed. Trial court is directed to expedite the trial.

**(Rajeev Ranjan Prasad, J)**

Rajeev/-

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

