

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51750 of 2019

Arising Out of PS. Case No.-105 Year-2019 Thana- GANDHIMAIDAN District- Patna

MONU PATEL Son of Kalyan Singh Resident of Mohalla - Begumpur, P.S.-
Chowk, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular bail in connection with Gandhi Maidan P.S. Case No. 105/2019 registered under Sections 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act, pending in the court of learned A.C.J.M. - XVII, Patna.

Learned counsel for the petitioner submits that petitioner has committed no offence and has falsely been implicated in this case. Learned counsel submits that after investigation police submitted charge-sheet against the petitioner and other accused persons so there is no chance of tampering with the evidence. Petitioner is in custody since 12.03.2019.



Learned A.P.P. for the State has opposed the prayer for bail, however submits that a charge-sheet has already been submitted against the petitioner under Section 396/412 I.P.C. and six cases of serious nature are pending against the petitioner.

Considering the facts and circumstances of the case where a charge-sheet has already been submitted against the petitioner under Section 396/412 I.P.C. and the court finds that as many as six cases of serious nature are pending against the petitioner and further that his name has transpired in the confessional statement of the co-accused, release of the petitioner at this stage is likely to delay the conclusion of the trial as the petitioner would be able to threaten the witnesses, this court is not inclined to grant privilege of regular bail to the petitioner.

Prayer for regular bail of the petitioner is refused.

Learned counsel for the petitioner has brought to the notice of this court that the co-accused have been granted regular bail by a learned coordinate Bench of this court, however this court finds that in the order by which the learned coordinate Bench has granted regular bail to the co-accused, the consideration which is being given by this court with reference



to the criminal history of the petitioner is not present and perhaps those were not brought to the notice of the learned coordinate Bench.

The application is dismissed.

(Rajeev Ranjan Prasad, J)

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