

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67671 of 2018

Arising Out of PS. Case No.-492 Year-2017 Thana- LAHERIYASARAI District- Darbhanga

Bhushan Kumar @ Bhushan Yadav, son of Sukhram Yadav, Resident of
Village- Bhairiopatti, Police Station- Bahadurpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Adv.

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 03-01-2019 Heard learned counsels for the petitioner, informant
and learned APP for the State.

The petitioner is languishing in custody since 28.11.2017 in a case registered for the offences punishable under Sections 401/411/414/420/467/468/471/120B of the Indian Penal Code and Sections 25(1-B)a, 35 of the Arms Act.

The prosecution case is based on the self-statement of the informant, being the SHO of Laheriasarai Police Station on 27.11.2017 at 16.45 Hours to the effect that to check the increasing incidents of knifing and looting, a police team was constituted to nab the accused persons and on the basis of a CCTV footage one yellow coloured Apache and accused, Hira Sahni was identified. During course of investigation, the said Apache motorcycle was recovered, but co-accused, Hira Sahni



succeeded to escape from the scene. Subsequently, co-accused, Mukesh Kumar and the petitioner Bhushan Kumar were arrested. From the petitioner's possession one Scooty was recovered. The petitioner has also confessed his guilt to have participated in the occurrence of knife blow and loot.

It is submitted by learned counsel for the petitioner that the main accused, Hira Sahni has been granted bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No. 23315 of 2018, on deposit of Rs.1,00,000/- in the Nazarat of the learned Court below, while five cases of similar nature are pending against him, though, the petitioner is accused in four other cases.

Learned APP after going through the case diary submits that there is recovery of a Scooty from the petitioner. The petitioner recorded his confession and apart from the present case, he is accused in four other cases. Moreover, on the basis of forged certificate in an earlier case, he got himself transferred to remand home claiming to be a juvenile and from there he escaped. Above all, the investigation has already been concluded.

Considering the nature of accusation and the criminal antecedent of the petitioner, this Court is not inclined to grant



bail to the petitioner for the present.

Accordingly, the prayer for bail of the petitioner in connection with Laheriasarai P.S. Case No.492 of 2017, pending before the learned CJM, Darbhanga is rejected.

However, it is expected from the trial Court to expedite the trial.

(Dinesh Kumar Singh, J)

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