

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75507 of 2019

Arising Out of PS. Case No.-127 Year-2019 Thana- DEEPNAGAR District- Nalanda

Dheerendra Kumar @ Dhirendra Kumar @ Dhiraj Kumar Son of Sunil Prasad
Yadav @ Sunil Prasad, Resident of Village - Bodhi Bigaha (Bahaudi Bigaha),
Ward No. 12, P.S.- Karai Parsurai, Distt - Nalanda. (Biharsharif).

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bhim Kumar Yadav, Advocate

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-11-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Deep Nagar P.S. Case No. 127 of 2019 registered for the offences punishable under Sections 399, 402, 34 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case merely on the basis of suspicion. It is further submitted that no looted article has been recovered from possession of the petitioner. Learned counsel further submits that one of the co-accused Rajeev Kumar had been granted bail by the court below on finding that he had no criminal antecedent and another co-accused has been granted bail by a learned Co-ordinate Bench of this Court having criminal antecedent.



Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case, wherein it appears that the petitioner was apprehended with loaded pistol and has got as many as four cases of similar nature registered during different period and where this Court finds that release of this petitioner at this stage would be detrimental to the interest of the society, this Court is not inclined to grant regular bail to the petitioner.

Although, learned counsel for the petitioner has submitted that one of the co-accused Rajeev Kumar had been granted bail by the court below on finding that he had no criminal antecedent, so far as another co-accused is concerned, from the order granting him bail it does not appear that his criminal antecedents were brought to the notice of the Court. This Court is, thus, not inclined to accept the submission of the learned counsel for the petitioner that he deserves privilege of regular bail like the co-accused.

The application is dismissed.

(Rajeev Ranjan Prasad, J)

ved/-

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