

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7070 of 2020

Arising Out of PS. Case No.-32 Year-2017 Thana- SOHSARAI District- Nalanda

RAJNISH KUMAR SINGH Son of Shiv Shankar Singh Resident of Village -
Anand Golba, P.S.- Mohaddinagar, District- Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Chandra

For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 03-06-2020 The present case was heard at length on 29.05.2020
and it has been listed today “For Orders”.

The petitioner seeks regular bail in connection with
Sohsarai P.S. Case No. 32 of 2017 for the offence punishable
under Section 396 of the Indian Penal Code.

The case of the prosecution in brief is that on
27.02.2017 at about 1.05 P.M. while the informant was sitting
at his shop of tea and breakfast, he got information that his
brother has been shot at on the 17 number bypass, whereafter
the informant is said to have gone to the place of occurrence
and found his brother namely Ranjit Kumar Verma lying in a
pool of blood along with one guard namely Brijnandan Singh
and the police party were lifting them and loading them in the
Jeep. The people present there informed the informant that one



vehicle of a company, which was being used to carry money of the company, had stopped near the petrol pump, whereafter the brother of the informant and the guard of the company had got down from the said vehicle along with a bag, whereupon the driver of the vehicle had fled away with the vehicle. Subsequently, miscreants had come on the motorcycle and fired gun shots on the brother of the informant as also on the guard and then the said three miscreants took the bag from the brother of the informant whereafter the said three miscreants had fled away on their motorcycle. It is further alleged that the driver of the aforesaid vehicle is one Yogendra Kumar.

The learned counsel for the petitioner has submitted that the petitioner is not named in the F.I.R. and the name of the petitioner has transpired in the present case upon confessional statement having been made by the co-accused Lalan Singh. It is further submitted that the petitioner was taken into custody in one another case on 13.04.2017, bearing Barh P.S. Case No. 87 of 2017 and thereafter the petitioner has been remanded in the present case as also in four other cases, hence, the petitioner is languishing in custody since about 2 years and one month. It is further submitted that as far as the present case is concerned, there is no material on record to



connect the petitioner with the alleged crime.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for bail.

I have heard the learned counsel for the parties, perused the materials available on record as also perused the case diary. It is apparent from a bare perusal of the materials on record as also the case diary that two persons were killed in a case of attempted loot and the accused persons had fled away with the bag in question and it has transpired during the course of investigation that the petitioner along with his brother and Lalan Singh, Manish Kumar Singh and Rajnish Kumar Singh had committed the aforesaid gruesome murder of two persons while committing loot and the police has also filed a charge-sheet against the accused persons including the petitioner herein dated 31.01.2020 under Section 396 of the Indian Penal Code, hence the complicity of the petitioner in the alleged crime cannot be ruled out. Moreover, the petitioner is an accused in five other cases, hence, considering the bad criminal antecedent of the petitioner as also taking into consideration the materials available in the case diary, as against the petitioner herein apart from the fact that the police upon investigation has found the case to be *prima facie* true against the petitioner herein and



other accused persons, I do not find the present case to be a fit
case for grant of regular bail, hence, the same is dismissed.

(Mohit Kumar Shah, J)

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