

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27640 of 2020

Arising Out of PS. Case No.-35 Year-2015 Thana- NAUHATTA District- Rohtas

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Ajay Rajbhar @ Surendra Rai S/o Late Shital Prasad @ Shital Rajbhar @ Rajnarayan Rajbhar Resident of Village-Tenduni, P.S.-Hariharganj, District-Palamu (Jharkhand).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-11-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner seeks bail in Nauhatta P.S. Case No. 35 of 2015, G.R. No. 582 of 2015 registered for the offence under Section 307 & other allied sections of the Indian Penal Code, Sections 25(1-b)A, 27/35 of the Arms Act and Section 17 of CLA Act.

As per prosecution case, on 4.7.2015, on a secret information, a raid was conducted and it is alleged that police arrested one person and from his possession, they recovered a gun, six cartridges and some explosives like two guns, Naxalite papers. Petitioner is alleged to be area commander of Maoist, who fled away from the spot.



It is submitted on behalf of petitioner that petitioner is not named in the FIR. Name of the petitioner has come on the confessional statement of co-accused. No incriminating article has been recovered from the possession of the petitioner. Chargesheet has already been submitted and petitioner is in custody since 06-02-2020.

However, learned A.P.P. for the State has vehemently opposed the bail application and submitted that there is sufficient material in the case diary against this petitioner and petitioner has also criminal antecedent, which fact has been stated in paragraph – 3 of the petition, and as such, petitioner may not be granted bail.

Considering the aforesaid facts and circumstances, the bail application of petitioner stands dismissed.

(Prabhat Kumar Singh, J.)

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