

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78085 of 2019

Arising Out of PS. Case No.-84 Year-2019 Thana- GARDANIBAG District- Patna

Rajesh Kumar S/o Lakheshwar Prasad @ Lakheshwar Prasad @ Lakheshwar Mahto R/o village- Jiuri, P.S.- Pakri Baraw, District- Nawada. Presently Mahavir Colony, P.S.- Beur, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Pramod Ban Bihari Singh, Advocate
For the Opposite Party	:	Mr. Jitendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 05-02-2020 Heard Mr. Krishna Prasad Singh, learned senior advocate appearing for the petitioner and Mr. Jitendra Kumar Singh, learned Additional Public Prosecutor for the State.

The petitioner has renewed his prayer for bail which was rejected by this Court on 21.05.2019 taking into consideration recovery of 74 packets of heroin (diamorphine) weighing 34.77 grams from the dicky of the car in which the petitioner was travelling.

It is submitted by the learned senior advocate appearing for the petitioner that two co-accused, namely, Sunil Kumar and Ashish Singh @ Ranveer Kumar Singh having identical allegation to that of the petitioner have been granted bail vide order dated 27.09.2019 passed in Cr. Misc. No.29808



of 2019 and Cr. Misc. No.28414 of 2019 respectively.

Opposing the prayer for grant of bail to the petitioner, learned Additional Public Prosecutor for the State submitted that from perusal of the order dated 27.09.2019 and 27.08.2019 passed in aforesaid Cr. Misc. No.29808 of 2019 and Cr. Misc. No.28414 of 2019, it would be manifest that it was not brought to the notice of the Court that the prayer for bail of the petitioner was already rejected by this Court vide order dated 21.05.2019.

Having heard the parties, since the order passed by this Court was not brought to the notice of the co-ordinate Bench, which has granted bail to the other co-accused persons, I am not inclined to grant bail to the petitioner. His prayer for bail is rejected.

(Ashwani Kumar Singh, J)

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