

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19238 of 2021

Arising Out of PS. Case No.-254 Year-2016 Thana- DHANARUA District- Patna

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Bittu Kumar @ Bittu Singh Son Of Binay Singh Village Nadwan, P.S.-
Dhanarua, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.
Mr. Ajay Kumar Sinha, Adv.
For the Opposite Party/s : Mr. Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 07-12-2021 Heard.

The present petition is by way of third attempt at the behest of the petitioner for grant of regular bail in connection with S. Tr. No. 445 of 2018 arising out of Dhanarua P.S. Case No. 254 of 2016 for the offence punishable under sections 341, 342, 323, 325, 307, 379, 504, 506/34, 302 of the Indian Penal Code and Section 27 of the Arms Act in as much as the earlier petitions filed by the petitioner for grant of bail have stood rejected by orders passed by a co-ordinate Bench of this Court.

The petitioner is the main assailant who is alleged to have assaulted the deceased, resulting in his death subsequently.

The learned Senior counsel for the petitioner, Shri N.K. Agrawal, has submitted that the petitioner is languishing in custody since about five years nine months and there is no progress in the trial, hence some



sympathetic consideration be made for the purposes of grant of bail.

Per contra, the learned A.P.P. for the State, Shri Ashok Kumar and the learned counsel for the informant have vehemently opposed the prayer for bail and have submitted that the petitioner is a veteran criminal, having nine other criminal cases of serious nature pending qua him, thus he is a threat to the society, hence it would not be in the interest of public at large to enlarge the petitioner on bail.

Having regard to the facts and circumstances of the case and taking into account the materials available on record, this Court finds that there is no change in circumstance so as to warrant reconsideration of the prayer of the petitioner for grant of bail and moreover since the petitioner is stated to be a veteran criminal and had engaged in brutally assaulting the deceased resulting in his death, this Court does not find any merit in the present petition, hence, the same stands dismissed.

(Mohit Kumar Shah, J)

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