

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 27427 of 2021

Arising Out of PS. Case No.-13 Year-2017 Thana- ROSHANGANJ District- Gaya

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Dhiraj @ Dhiru Jee @ Dhanuk @ Dhiru Yadav, aged about 28 years, Gender- Male, Son of Bangali Yadav, Resident of village- Bankar Paharpur, PS- Amas, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the State : Mr. Md. Arif, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 18-08-2021

The matter has been heard *via* video conferencing.

2. Heard Mr. Bhaskar Shankar, learned counsel for the petitioner and Mr. Md. Arif, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner is in custody in connection with Roushanganj PS Case No. 13 of 2017 dated 29.01.2017, instituted under Sections 414 of the Indian Penal Code, 25(1-B)(a), 26 and 35 of the Arms Act, 1959 and 17 of the Criminal Law Amendment Act, 1935



4. This is the second attempt for bail by the petitioner as earlier such prayer was rejected by judgment and order dated 06.01.2020 passed in Cr. Misc. No. 80133 of 2019.

5. The allegation against the petitioner is that he was the commander of an extremist outfit.

6. Learned counsel for the petitioner submitted that since the matter has already been dismissed on merit earlier, the only ground he would urge is that the petitioner has been in custody since 26.09.2019 i.e., almost two years.

7. Learned APP, submitted that the Court has noted in the earlier order of rejection that the persons who were arrested by the police had specifically stated that they were working under the leadership of the petitioner and more importantly, there are 16 other cases pending against the petitioner right from the year 2010 under various police station which were of similar nature under serious sections of various penal laws. Thus, it was submitted that the ground of incarceration for about two years is not worthy of consideration for release of the petitioner on bail.

8. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court finds that no fresh grounds or mitigating circumstances have been



brought to the notice of the Court for reconsideration of the prayer
for grant of bail to the petitioner.

9. Accordingly, the petition stands dismissed.

10. However, in view of submissions of learned counsel
for the petitioner, let the trial be expedited.

(Ahsanuddin Amanullah, J.)

P. Kumar

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