

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.33166 of 2020

Arising Out of PS. Case No.-110 Year-2019 Thana- MARANCHI District- Patna

Kanhaiya Kumar Son of Shankar Singh Resident of Village- Maranchi,
Bhagat Tola, Police Station- Maranchi, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Atal Chandra

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 25-01-2021 Heard learned counsel for the parties.

This application for regular bail arises out of Maranchi P.S. Case No. 110 of 2019, disclosing the offence punishable under Sections 302, 201/34 of the Indian Penal Code.

The petitioner was not named in the FIR and his name has surfaced on the basis of confessional statement of a co-accused. The confessional statement, however, gives a vivid description of the manner of occurrence. The petitioner is also said to have confessed his participation in commission of the offence.

Learned counsel for the petitioner has argued that a similarly circumstanced co-accused has been allowed regular



bail by this Court by an order dated 28.02.2020, passed in Cr. Misc. No. 11859 of 2020.

On perusal of paragraph-3 of the application, it is noticed that petitioner has criminal antecedent of his involvement in following cases of serious nature :-

(I) Barh P.S. Case No. 54 of 2012, U/s 341, 323, 504, 387, 506/34 of the IPC

(II) Barh P.S. Case No. 335 of 2017, U/s 392 of the IPC

(III) Barh P.S. Case No. 363 of 2017, U/s 25(1-B)/26, 35 of the Arms Act

(IV) Maranchi P.S. Case No. 38 of 2014, U/s 307, 504, 506, 120-B of the IPC and 27 of the Arms Act.

Mr. Arun, learned counsel has submitted that the petitioner has been enlarged on bail in all other cases.

Be that as it may, considering the gravity of the offence and the petitioner's criminal antecedent, as noted above, I am not inclined to grant him privilege of regular bail for the present. The submission that since similarly circumstanced co-accused has been granted regular bail, this petitioner should also be granted the same privilege, is hereby rejected in view of the petitioner's complicity in many criminal cases of serious nature, as noted above.



This application is accordingly rejected.

(Chakradhari Sharan Singh, J)

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