

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11106 of 2021

Arising Out of PS. Case No.-4 Year-1999 Thana- C.B.I CASE District- Patna

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NIRJESH SINGH @ NAGA SINGH S/o Sri Swaraj Singh Resident of
Village- Moldiyar Tola, P.S.- Mokama, District- Patna.

... .. Petitioner/s

Versus

The Central Bureau of Investigation, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajeev Kumar, Advocate.
For the C.B.I.	:	Mr. Bipin Kumar Sinha, Standing Counsel, C.B.I.
For the State	:	Mr. Dilip Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-10-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Section 302, 307, 341, 201B & 379 of
the Indian Penal Code and Section 27 of the Arms Act.

This is the fourth attempt of the petitioner before
this Court with a prayer to release him on bail. Earlier on three
occasions, his prayer was rejected.

The prosecution case, in nutshell, is that one
Amrendra Kumar lodged the fardbeyan at I.G.I.M.S., Patna on
13.06.1998 that he went to see Brij Bihari Prasad, an M.L.A.,
who was under treatment at I.G.I.M.S. and the informant made
allegation that Bhupendra Nath Dubey, Mantu Tiwari, Munna



Shukla, Shri Prakash Shukla, Rajan Tiwari and many others made indiscriminate firing killing the minister Brij Bihari Prasad and his bodyguard on the spot.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case. He is neither named in the F.I.R. nor was apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that all the accused persons named in the F.I.R. have been acquitted by this Court. The petitioner has 70 criminal antecedent and was remanded in this case on 19.08.2011 and since then he has been languishing in custody.

On the other hand, Mr. Bipin Kumar Sinha, learned counsel for the C.B.I. vehemently opposing the bail petition submitted that the case is of the year 1998 and the chargesheet was submitted against the petitioner showing him absconder. Petitioner was arrested on 12.07.2011. All other accused persons were convicted and they preferred criminal appeal in this Court and were acquitted. Against the judgment and order of acquittal, the C.B.I. has preferred an appeal before the Hon'ble Supreme



Court. The petitioner is a veteran criminal and even after the present case, the petitioner remained absconding and he committed more than about 70 crimes all of heinous in nature. He lastly submitted that the petitioner is a threat to the society.

Taking into consideration the facts that the petitioner has got 70 criminal antecedents, all of heinous in nature, such as, murder, kidnapping for ransom etc., I am not inclined to enlarge the petitioner on bail. The prayer for bail is hereby rejected. However, the learned Trial Court is directed to expedite the trial.

The Senior Superintendent of Police, Patna is directed to ensure production of the witnesses in the case on each and every date fixed without fail.

Let a copy of this order be sent to the Senior Superintendent of Police, Patna for needful.

(Anjani Kumar Sharan, J)

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