

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52649 of 2021

Arising Out of PS. Case No.-42 Year-2008 Thana- RAJAOLI District- Nawada

1. KHADHARI SINGH @ KHADAG DHARI SINGH, S/o Late Jageshwar Singh, Resident of Village - Jamundaha, P.S. - Rajauli, District - Nawada.
2. Sarpanch Singh, S/O Kripali Singh Resident of Village - Jamundaha, P.S. - Rajauli, District - Nawada.
3. Rajkumar Singh, S/o Late Bundhan Singh Resident of Village - Jamundaha, P.S. - Rajauli, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad
For the Opposite Party/s : Mr. Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 27-10-2021 Heard learned counsel for the parties.

This application for regular bail arises out of Rajauli P.S. Case No. 42 of 2008, disclosing the offence punishable under Section 307 and other allied Sections of the Indian Penal Code, Sections 25(1-b), 26, 35 of the Arms Act, Sections 20, 22 of the N.D.P.S. Act and Section 33 of the Forest Act.

The petitioner's prayer for regular bail was earlier rejected by an order of this Court dated 17.12.2020, passed in Cr. Misc. No. 33144 of 2020.

Learned counsel appearing on behalf of the petitioners has submitted that similarly circumstanced other co-accused



persons have been allowed regular bail by this Court by an order dated 09.12.2020, passed in Cr. Misc. No. 31746 of 2020 and 22.09.2020, passed in Cr. Misc. No. 25112 of 2020. He has also submitted that some of co-accused persons were granted regular bail by an order dated 18.12.2008, passed in Cr. Misc. No. 36284 of 2008. He has also submitted that some persons named in the FIR, who had been arrested at the spot, have also been granted regular bail.

I have perused the orders which have been passed by this Court, whereby other co-accused persons have been granted regular bail. In my opinion, case of these petitioners is clearly distinguishable in view of the observations made in the order dated 17.12.2020. The Court while rejecting the prayer of the petitioners for grant of regular bail had noticed that incriminating materials were recovered from their possession by the police.

Considering the facts and circumstances, this application is rejected for the present.

(Chakradhari Sharan Singh, J)

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