

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13704 of 2022

Arising Out of PS. Case No.-502 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Aman Kumar @ Raviraj @ Bhagina S/O Amiri Lal Prasad @ Ameri Prasad
Patwa, R/o village- Mahnar Ward No. 7, P.S.- Mahnar, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Sager Sharma, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 16-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Hajipur Sadar P.S. Case No. 502 of 2021 lodged under Sections
309, 402 and 414 of the Indian Penal Code read with Section
25(1-b)a, 26/35 of the Arms Act.

As per prosecution, upon the information by the
police, four accused persons were apprehended and present case
has been lodged.

Learned counsel for the petitioner submits that from
the possession of the petitioner one loaded *desi katta*, one live
cartridge and one mobile phone were recovered. He further

submits that petitioner is in custody since 27.05.2021 and charge sheet has already been filed in this case. He further submits that the co-accused persons namely, Ravi Kumar, Kunal Kumar and Raushan Jha were granted bail by the Co-ordinate Bench of this Court vide order dated 25.02.2022, 03.03.2022 and 08.03.2022 in connection with Cr. Misc. No. 47450 of 2021, 48471 of 2021 and 50726 of 2021 respectively.

Learned counsel for the State opposes the prayer for bail and submits that the case of the petitioner is different from that above three co-accused as from Ravi Kumar and Kunal arms were not recovered and from Raushan Jha arms were recovered but his antecedent is clean, so far as the present petitioner is concerned arms has been recovered from his possession as well as there are four criminal cases are pending against him. Learned counsel for the State further submits that the case numbers given in paragraph no.3 of the petition and the case numbers relating to his antecedent stated in para-62 of the case diary are different and these are Sadar P.S. Case No.762 of 2020, Sadar P.S. Case No. 502 of 2020 and Nagar P.S. Case No. 1025 of 2021, whereas in paragraph no.3 case number mentioned as Mahnar P.S. Case No.300 of 2020, Hajipur Town P.S. Case No. 280 of 2021, Desari P.S. Case No.186 of 2021 and

Hajipur Sadar P.S. Case No.495 of 2021.

In the above facts and circumstances of the case and the submissions made above, it is clear that accused-petitioner is made suppression before this Court, therefore, I am not inclined to grant bail to the petitioner. Accordingly, the bail petition of the petitioner is hereby rejected.

It also transpires from para-62 of the case diary that Raushan Jha @ Baba @ Nitish Kumar Raushan has got three cases pending against him, therefore, the Court below is directed to acknowledge the same and do the needful in accordance with law.

(Dr. Anshuman, J.)

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