

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49600 of 2021

Arising Out of PS. Case No.-344 Year-2018 Thana- FATEHPUR District- Gaya

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Rajeev Kumar Son of Antu Singh @ Girijanandan Singh Resident of Village-
Pakari, P.S.- Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv.
	:	Ms. Vaishnavi Singh, Adv.
For the informant	:	Mr. Shailash Kumar, Adv.
For the Opposite Party/s	:	Mr. Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 27-09-2022 Let the defect, if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Fatehpur P.S. Case No. 344 of 2018 lodged under Sections 302,
120(B), 34 of the I.P.C.

As per the prosecution case, the present F.I.R. has
been filed against 4 named accused persons including the
present petitioner. In the earlier part of the F.I.R., there is no
allegation against the petitioner but in the later part, it has been
narrated that the petitioner is used to demand the S.U.V. car of
the informant's son, which informant's son was not ready to

provide. Upon which the accused persons including the petitioner have threatened the informant's son and this is the reason behind the present occurrence.

Learned counsel for the petitioner submits that from the entire F.I.R., it transpires that there is no active role of the petitioner in the said commission of crime. It has been further submitted that one of the co-accused Aslok Singh has been granted bail by the Co-ordinate Bench of this Court vide order dated 26.04.2022 in Cr. Misc. No. 54073 of 2021. It has been further submitted that charge sheet has already been filed in this case and petitioner is in custody since 01.06.2021 and there are total 6 criminal cases pending against the petitioner, out of which he is acquitted in 3 cases and in the rest cases, he is on bail.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposes the prayer for bail. He filed his reply by way of counter affidavit in which he annexed the different applications written to the officials and S.H.O. with regard to the continuous threat for withdrawal of case and to adduce evidences. He further submits that if the petitioner shall be released they cannot

adduce evidences freely.

Upon specific query whether charge has been filed or not, learned counsel for the petitioner submits that charge has been framed in this case.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present. But liberty is hereby granted to move the prayer for bail after 6 months from today.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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