

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24434 of 2023

Arising Out of PS. Case No.-543 Year-2018 Thana- KUDHNI District- Muzaffarpur

RAJEEV KUMAR @ JUBLI @ JUGNU SINGH Son of Late Ravindra Thakur @ Ravindra Singh Resident of Village - Repura, P.S.- Tajpur (Waini O.P.), District – Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar no. 2, Advocate
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 13-04-2023 Heard the learned counsel for the petitioner and
the learned APP for the State.

The present petition is by way of third attempt at the behest of the petitioner for grant of bail in connection with Kudhani PS case no. 543 of 2018, registered under Sections 364, 504, 302/34 of the Indian Penal Code, inasmuch as the prayer of the petitioner for grant of regular bail on earlier occasions have all stood rejected by this Court.

The informant is stated to have received information on 29.10.2018 from Dhirendra Kumar to the effect that the accused persons including the petitioner herein had arrived at Vaishali hotel, where the deceased and other persons were



taking meal, whereupon the petitioner is alleged to have opened fire and the accused persons had kidnapped the brother of the informant, whereafter on the next day morning, the dead body of the deceased was recovered.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 27.06.2019 and all the other co-accused persons have been granted bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail and has submitted that on earlier occasions, this Court has elaborately discussed and considered the materials available in the case diary against the petitioner and has come to a conclusion that *prima facie*, complicity of the petitioner is apparent in the alleged crime. It is also submitted that the petitioner is having a bad antecedent, hence, in case he is granted bail, he may commit more crime.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that there is no change in circumstance so as to warrant re-consideration of the prayer of the petitioner for grant of bail, I do not find any



reason to re-consider the prayer of the petitioner for grant of
bail, hence, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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