

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88602 of 2024

Arising Out of PS. Case No.-293 Year-2024 Thana- DIGHA District- Patna

Rajesh Kumar @ Nakat Gop @ Nakat Rai S/O Jay Ram Ray Resident Of
Mitanchak Brajesh Singh Ke Makan ME kirayedar, P.S.- Sampatchak,
District- Patna, Permanent Address Patipul Digha P.S.- Digha, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 09-05-2025 1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and the learned counsel appearing on behalf
of the O.P. No.2.
2. The petitioner seeks bail in connection with Digha
P.S. Case No.293/2024, registered for the offence punishable
under Section 307, 34, 120B of the Indian Penal Code and
Section 27 of the Arms Act.
3. Learned counsel appearing on behalf of the O.P.
No.2 submits that petitioner had earlier approached this Court
seeking regular bail by filing Cr. Misc. No. 65555/2024, in the
said petition at para-3 the petitioner had disclosed that he has
antecedent of two cases only, as such, the learned co-ordinate
Bench before whom the case was taken up had called for a



report from the police and the police submitted a report before the learned co-ordinate Bench stating that petitioner has antecedent of two cases only, but thereafter, the case was taken up by this court and on objection made by the informant, the petitioner chose to withdraw Cr. Misc. No.65555/2024. It is next submitted that in the instant bail application the petitioner has disclosed that he has antecedent of 8 cases when he has antecedent of more than 10 cases. It is submitted that thereafter this court had directed the S.S.P., Patna to file counter affidavit duly sworn by him. It is next submitted that the case was taken up on 02.05.2025 when the learned APP based on the counter affidavit filed on behalf of the S.S.P., Patna has submitted that petitioner has antecedent of 10 cases. Today, when the case is taken up the learned APP submits that petitioner at para-3 of the instant bail application has not disclosed about Rajiv Nagar P.S. Case No.380/2022 dated 20.07.2022 and Digha P.S. Case No.293/2024 dated 16.05.2024.

4. The learned counsel appearing on behalf of the petitioner is not in a position to rebut the said submission of the learned APP.

5. After hearing the learned counsel for the parties, the Court is not inclined to release the petitioner on bail for the



reason that petitioner when earlier had moved this court seeking regular bail by filing Cr. Misc. No. 65555/2024, in that bail application, the petitioner at para-3 had pleaded that he has antecedent of two cases only, which gives an impression to the Court that petitioner for the purposes of seeking regular bail concealed his antecedent but for the objection raised by the learned counsel appearing on behalf of the informant that petitioner withdrew the said Cr. Misc. No.65555/2024. Further, when the instant bail application was filed, petitioner again at para-3 pleaded that he has antecedent of 8 cases, when he has antecedent of 10 cases. Further, in the F.I.R. the informant alleges that the accused persons fired at him but then he managed to save himself and the occurrence was committed at the behest of this petitioner and his son, who are in custody, in connection with killing of the father of the informant for not giving extortion and the informant is a witness in the case, which has been instituted with regard to killing of his father, in which, the petitioner along with his son and others are accused, as such it is alleged that the occurrence of firing was committed at the behest of the petitioner in custody.

6. The Court for the present is not inclined to release the petitioner on bail.



7. The regular bail application of the petitioner is
rejected.

(Satyavrat Verma, J)

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