

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35873 of 2017

Arising Out of PS.Case No. -61 Year- 2016 Thana -RAFIGANJ District- AURANGABAD

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1. Pintu Singh, son of Jangi Singh @ Jang Bahadur Singh, resident of Village- Babuganj, Pani Tanki, Rafiganj, P.S.- Rafiganj, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-08-2017

Heard learned counsel for the parties.

The petitioner is in custody since 22.09.2016 in connection with Rafiganj P.S. Case No. 61 of 2016 registered under Section 304B/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that earlier the petitioner has moved before this Court for grant of regular bail but the same has been rejected vide order dated 19.01.2017 passed in Cr. Misc. No. 49329 of 2016 and this is the second time the petitioner has moved before this Court for grant of regular bail on the ground that at the time of hearing of the aforesaid application, learned counsel for the petitioner could not brought notice of this Court about the U.D. Case earlier lodged by the father-in-law of the deceased in Rafiganj Police station and the fact that informant has disclosed a different story and the same could not be considered at the time of hearing the aforesaid application. Charge-sheet has also been submitted in this case under



Section 306 of the Indian Penal Code.

Heard learned A.P.P. also.

Having heard both the sides and considering the facts and circumstances of the case, I am not inclined to grant regular bail to the petitioner. Accordingly, the prayer for regular bail of this petitioner is rejected. However, the petitioner may renew his prayer for bail after framing of charge in the court below itself and the court below after examining the aforesaid material, especially, the U.D. Case and the charge sheet under Section 306 of the Indian Penal Code and also considering the aforesaid fact along with other fact, will pass an appropriate order without being prejudiced by the order of this Court.

With the aforesaid observation, this criminal miscellaneous application is disposed of accordingly.

(Vinod Kumar Sinha, J)

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