

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50199 of 2016

Arising Out of PS.Case No. -52 Year- 2016 Thana -SANGRAMPUR District- EAST
CHAMPARAN (MOTIHARI)

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1. Sheela Singh @ Bedanand Singh S/o Late Laxman Singh Resident of
village - Chaubey Tola, P.S. Chanpatiya, District West Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Sri Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 08-02-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with
Sangrampur P.S.Case No. 52 of 2016 registered under Sections
413, 414, 467, 468, 471 and 120-B of the Indian Penal Code.

The prayer for bail of the petitioner was earlier
rejected by this Court vide order dated 20.08.2016 with liberty that
in case the trial is not concluded within nine months from the date
of framing of charge, he may renew his prayer for bail.

However, within three months of the rejection order
the petitioner filed the present application on 19th November, 2016
seeking bail on the ground that the alleged Pick-up Van was
registered in the name of one Bharat Sah Turaha and it was sold



by him to the son of the petitioner, namely, Golu Kumar but due to ongoing Panchayat election it was not transferred in his name.

It is submitted by the learned counsel for the petitioner that the alleged Bolero Pick-up Van has already been released in favour of the son of the petitioner, namely, Golu Kumar on 4th October, 2016 in the light of the order dated 1st October, 2016 passed by the learned A.C.J.M.-14, Motihari, East Champaran. It is also submitted that the entire prosecution case is based on erroneous ground.

In view of the submissions made above, I dispose of the present application with liberty to the petitioner to file his application for bail afresh before the court of Magistrate. If such an application is filed, the learned Magistrate shall consider the application for bail on merits without being prejudiced by any order passed by this Court or by the Sessions Court and dispose of the same in accordance with law.

(Ashwani Kumar Singh, J)

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