

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63832 of 2018

Arising Out of PS. Case No.-86 Year-2016 Thana- PIPRAKOTHI District- East Champaran

Sumit Puri, Son of Brijmohan Puri, Resident of Kishunpur Jivdhara, P.O.-
Jivdhara, P.S.- Piprakothi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Santosh Kumar Giri, Son of Late Sunil Giri, Resident of Village- Balua Vrita,
P.S.- Ramgarwa, District- East Champaran.
3. The Superintendent of Police, Central Bureau of Investigation, Bihar, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rama Kant Sharma, Sr. Advocate
For the Informant	:	Mr. Anil Kumar
For the CBI	:	Mr. Bipin Kr. Sinha, SC CBI
For the State	:	Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 27-11-2018 Heard learned counsel for the petitioner, learned
counsel for the informant, learned counsel for the CBI and the
State.

The petitioner seeks bail in Piprakothi P.S. case no.
86 of 2016 instituted for the offence under Sections 498A,
304B and 120B of the Indian Penal Code and Section 3/4 of the
D.P. Act.

Learned counsel for the petitioner has submitted that
earlier prayer for bail of the petitioner was twice rejected by
co-ordinate Bench of this court by order(s) dated 18.4.2017
and 20.6.2018 passed in Cr. Misc. nos. 10630 of 2017 and
12147 of 2018. The petitioner was granted liberty vide order



dated 20.6.2018 passed in Cr. Misc. no. 12147 of 2018 to renew prayer for bail after two months if the investigation is not completed by the CBI.

Learned counsel for the CBI has taken preliminary objection that the petitioner has not moved his application for bail before the Court of Spl. judge CBI and has directly moved the petition for grant of bail before this court.

Learned counsel for the petitioner has submitted that he has renewed the prayer for bail in compliance of the observation made in Cr. Misc no. 12147 of 2018.

It has been informed to this court by the learned counsel for the CBI that RC case no. 06(S)/2017/CBI/SCB/Patna has been re-registered as RC0922017S0006 on 5.7. 2017 before the Special Court, CBI Special Crime Branch Patna, and as such, status report of the aforesaid case has been filed in this Court in sealed cover.

This Court deems it proper that petitioner should first move his application for bail before the Court of CBI and thereafter renew his prayer for bail before this Court. From the report, it appears that case was lodged on 5.7. 2017 but the charge sheet has not been filed till date.



Therefore, this Court is not inclined to grant bail to the petitioner. Prayer for bail of the petitioner stands rejected.

Court Master is directed to hand over report as submitted by the CBI in a proper sealed cover to the learned counsel for the CBI.

(Sanjay Priya, J)

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