

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13060 of 2018

Arising Out of PS.Case No. -378 Year- 2017 Thana -PUNPUN District- PATNA

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1. Naresh Singh @ Funchun Singh, Son of Late surendra Singh alias Surendra Prasad Singh.
 2. Anis Kumar @ Titu, Son of Late Raju Singh.
Both are residents of village – Marachi, Police Station – Punpun, District-Patna, State-Bihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Shyam Kishore Sinha, Advocate.

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

2 07-03-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in Special Case No. 8227 of 2017 arising out of Punpun P.S. Case No. 378 of 2017 registered under Sections 341, 323, 324, 307, 354, 504 and 448/34 of the Indian Penal Code, Sections 25(1-b)a, 26 and 35 of the Arms Act and Sections 37(B) and (C) of the Bihar Prohibition and Excise Act, 2016.

One misfire cartridge is said to have been recovered from the possession of the petitioner no.1 Naresh Singh @ Funchun Singh while a mobile phone from the possession of the petitioner no.2 Anis Kumar @ Titu. They were in inebriated



condition and are said to have assaulted the informant and his wife intruding into his house.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners. No such occurrence as alleged ever took place. They have not consumed any liquor. They have no criminal antecedent. They have been languishing in custody since 18.11.2017.

From perusal of the record, it appears that learned lower court has not passed the order on merit rather appears to have passed the same being peeved up with the conduct of the learned lawyer for the petitioner conducting the case in the court below. Hence learned lower court is directed to dispose of the bail petition of the petitioner, if filed on merit within fortnight. Accordingly, this bail application stands disposed of.

(Prakash Chandra Jaiswal, J)

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