

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13410 of 2021

Arising Out of PS. Case No.-80 Year-2019 Thana- GORAUL District- Vaishali

1. PUJAN KUMAR @ PUJA RAM Son of Birendra Ram Resident of Village - Rusulpur Hussain, P.S.- Garoul, Dist.- Vaishali at Hajipur
2. Kundan Kumar @ Kundan Ram Son of Birendra Ram Resident of Village - Rusulpur Hussain, P.S.- Garoul, Dist.- Vaishali at Hajipur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/ : Mr. Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 23-03-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

The petitioners apprehend their arrest for the offences alleged under Sections 302, 201, 120 B and 34 of the Indian Penal Code, registered in connection with Goraul P.S.Case No. 80 of 2019.

From perusal of paragraph No. 103 of the case diary, it appears that process under Section 82 of the Cr.P.C. was issued and paragraph No. 135 of the case diary shows that process under Section 83 of the Cr.P.C. has also been executed and in view of the recent decision in the case of *Prem Shankar Prasad vs. State of Bihar and Another* (2021 SCC online SC 955), this application is dismissed as not maintainable.



If the petitioners surrender and seek regular bail before the court below, their bail applications shall be considered on its own merit, without being prejudiced by this order.

Office shall ensure that all the defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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