

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15455 of 2021

Arising Out of PS. Case No.-175 Year-2020 Thana- TAJPUR District- Samastipur

1. CHANDESHWAR SAHANI SON OF MUNESHWAR SAHANI R/o village- Mirzapur, P.S.- Tajpur, District- Samastipur
2. ARVIND SAHANI SON OF CHANDESHWAR SAHANI R/o village- Mirzapur, P.S.- Tajpur, District- Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 03-03-2022 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 147, 148, 149, 307, 323, 354, 379, 448 and 504 of the Indian Penal Code and later on Section 302 of the IPC was added, registered in connection with Tajpur P.S.Case No.175 of 2020.

At the very outset, the learned APP has submitted that the case diary has been received and from page 15 thereof, it appears that the process under Section 83 of the Cr. P.C. has been initiated 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 their 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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