

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12353 of 2022

Arising Out of PS. Case No.-358 Year-2021 Thana- DAGARUA District- Purnia

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1. Anil Gwala Son of Prem Gwala Resident of Village- Phata Pokhar Siliguri, P.S.- Raiganj, District- New Jal Paiguri (West Bengal)
 2. Gautam Roy Son of Jotin Roy Resident of Village- Phata Pokhar Siliguri, P.S.- Raiganj, District- New Jal Paiguri (West Bengal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anup Kumar Pandey, Advocate.

For the Opposite Party/s : Mr. Pranav Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 03-08-2022 Let the defect, if any, be removed within two weeks from today.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek regular bail in connection with Dagaruwa P.S. Case No. 358 of 2021 lodged under Sections 356, 379, 414, 401, 411 and 34 of Indian Penal Code.

The prosecution story is that, the petitioners have taken Rs.1,00,000/-, passbook and Aadhar card with bag of the informant from the dickey of motorcycle but upon noise and chase the petitioners were apprehended. It has been alleged in the F.I.R. that only Rs.5,000/- alongwith Aadhar card of the informant and one motorcycle which was subject to theft in another case has been recovered from the possession of

petitioner no.1.

Learned counsel for the petitioners submits that petitioners are in custody since 08.12.2021, chargesheet has been filed and their antecedents are clean.

Learned counsel for the State opposes the prayer for bail and submits that if bail shall be granted to the petitioners, the trial shall not be concluded.

Upon query from the learned counsel for the petitioners that whether charge has been framed or not, he is not in a position to inform this Court that whether charge has been framed in this case or not.

In the present facts and circumstances of the case and the submissions made above, the bail application of petitioners is hereby rejected but they may renew their prayer before the trial court itself only after framing of charge and the trial court shall decide this case on its own merit.

With this observation, the bail application stands disposed off.

(Dr. Anshuman, J.)

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