

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37125 of 2022**

Arising Out of PS. Case No.-408 Year-2019 Thana- SONEPUR District- Saran

Mahadeo Rai Son Of Haricharan Rai R/O Village- Shekh Dumari, P.S.-  
Nayagaon, Distt.- Saran At Chapra

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Smita Kumari, Adv.

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      22-09-2022                      Let the defect(s), if any, be removed within two  
weeks from today.

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

The petitioner seeks regular bail in connection with  
Sonpur P.S. Case No. 408 of 2019 lodged under Sections 302/34  
of the I.P.C.

As per the prosecution case, the accused persons were  
working at the house of the informant with the demand of  
labour cost and discussion takes place with the nephew of the  
informant. Subsequently, scuffling takes place and allegation  
against the present petitioner is to give order to *mistri* to attack  
on Vicky. In result, he has attacked by which the Vicky brutally  
injured and subsequently died.

Learned counsel for the petitioner submits that petitioner is in custody since 16.03.2022, charge sheet has already been filed in this case. He submits that the antecedent of the petitioner is clean. He further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

Learned counsel for the State opposes the prayer for bail and submits that it is a case of murder and the said murder has caused on the order of the present petitioner.

Upon specific query, learned counsel for the petitioner submits that till date, charge has not been framed.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present but liberty is hereby granted to the petitioner to move for bail after framing of charge. The Trial Court thereafter shall release him on bail imposing its own conditions so that he may not evade from trial.

With this observation, the bail application stands rejected.

**(Dr. Anshuman, J.)**

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