

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 72378 of 2021**

Arising Out of PS. Case No.-4 Year-2019 Thana- SIWAN RAIL P.S. District- Saran

SANTOSH TURHA SON OF SHIVPUJAN TURHA RESIDENT OF
VILLAGE - CHAKHANI PS - BAGAHA DIST - WEST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Shambhu Prasad Yadav, Advocate

For the Opposite Party/s : Mr Surendra Kumar, APP

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 19-01-2022 Heard learned counsel for the petitioner and learned Additional Public Prosecutor appearing for the State of Bihar through Virtual Mode.

The petitioner seeks bail in Siwan Rail Police Station Case No 4 of 2019 instituted for the offence punishable under Sections 328, 379 and later on added with Section 307 of Indian Penal Code.

While the petitioner has been in custody, his prayer for bail was earlier rejected by this Court under order dated 14.12.2020 passed in Cr Misc No 12342 of 2020. Without renewing his prayer for bail before the Court below, thereafter, he has filed the instant application. Therefore, after some argument, learned counsel submits that the petitioner will be



approaching the learned Court below renewing his prayer for bail.

This Court would only observe that if the petitioner applies for bail, the period of custody and other aspect of the matter be considered by the learned trial Court without, in any manner, being effected by the earlier rejection of the prayer for bail of the petitioner by this Court under order dated 14.12.2020 passed in Cr Misc No 12342 of 2020.

With the aforesaid observation, this application stands disposed of.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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