

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8187 of 2023

Arising Out of PS. Case No.-362 Year-2022 Thana- KALYANPUR District- Samastipur

Niraj Kumar @ Masoom Jha Son of Awadhesh Jha Resident of Village-
Jitwariya, Ward No.-8, P.S.- Kalyanpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 12227 of 2023

Arising Out of PS. Case No.-362 Year-2022 Thana- KALYANPUR District- Samastipur

Priyam kumar @ chaman Son of Sri Rambinod Thakur Resident of Village-
Ghoghraha, Ward No.-03, P.S.- Chakmehsi, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 8187 of 2023)

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

For the Opposite Party/s : Mr. Murli Dhar, APP

(In CRIMINAL MISCELLANEOUS No. 12227 of 2023)

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-05-2023 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioners seek regular bail in connection with
Kalyanpur P.S. Case No. 362 of 2022 dated 15.11.2022 (G.R.

No. 3263 of 2022) lodged under Section 392 of the I.P.C.

As per the prosecution case, the petitioners are accused in Section 392 of the I.P.C. and F.I.R. has been filed against unknown.

Learned counsel for the petitioners submit that the petitioners have been remanded in the present case when they were in custody in Kalyanpur P.S. Case No. 363 of 2022. Counsel submits that the petitioners are in custody since 03.12.2022 and the cases are magisterial triable in nature.

Counsel for the petitioners further submit that the name of the petitioners have come in this case by virtue of the confessional statement made by the co-accused. Counsel submits that the looted amount Rs. 3600/- has been recovered from the possession of petitioner of Cr. Misc. No. 8187 of 2023 and Rs.28,140/- alleged to be recovered from the house of the petitioner of Cr. Misc. No. 12227 of 2023.

Learned counsel for the State opposes the prayer for bail and submits that it is true that the cases are magisterial triable in nature.

On specific query that whether charge has been framed in this case or not, counsel submits that charge has not been framed in this case.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioners at present but liberty is hereby granted to the petitioners to move for bail after framing of charge.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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