

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17887 of 2023

Arising Out of PS. Case No.-360 Year-2021 Thana- MASAUDHI District- Patna

Chhotu Kumar @ Md. Nausad S/O Late Zamiruddin, R/V- Kashmirganj, P.S.-
Masaurhi, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Choudhary, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 22-03-2023 Let the defect, 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
Masaurhi P.S. Case No. 360 of 2021 lodged under Sections
302/34 of the I.P.C.

Learned counsel for the petitioner submits that the
bail application of the petitioner has been rejected vide order
dated 12.09.2022 passed in Cr. Misc. No. 26486 of 2022.
Counsel further submits that the bail application of the
petitioner was rejected granting liberty to renew his prayer for
bail three months after framing of charge. Counsel further
submits that charge has been framed on 29.09.2022 and as such

three months has already been lapsed.

Learned counsel for the State submits that such averments has not made in the petition by the learned counsel for the petitioner. Therefore, his bail may be granted upon satisfaction of the court below that whether charge has been framed for the present petitioner on 29.09.2022 or not.

In this view of the matter, if charge has been framed on 29.09.2022 of the present petitioner, trial Court shall release him on bail imposing its own conditions so that he may not evade his appearance during trial, but if charge has not been framed on the said date then his bail application shall be rejected.

With this observation, the bail application stands disposed off.

(Dr. Anshuman, J.)

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