

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16565 of 2023

Arising Out of PS. Case No.-2 Year-2019 Thana- ARA MUFFSIL District- Bhojpur

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Guddu Shah Son Of Late Ijhar Ahamad, Resident Of Village - Kakila, P.S.- Jagadispur, District - Bhojpur. At Present Mohalla - Barahbatra, P.S.- Ara Town, District - Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 10-05-2023 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
Ara Mufassil P.S. Case No. 02 of 2019 dated 07.01.2019 lodged
under Sections 302, 201/34 of the I.P.C.

As per prosecution case, the allegation against the
present petitioner that F.I.R. has been filed against unknown
after recovery of body from a pond by the brother of the
deceased.

Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R and his name has figured in
this case by virtue of confessional statement of the co-accused

namely, Yusuf Azad. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 16.10.2022 having clean antecedent.

Learned counsel for the State opposes the prayer for bail.

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

In the present facts and circumstances of this case, this Court is not inclined to grant bail to the petitioner, accordingly, the bail petition of the petitioner is hereby rejected but liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge and the trial court is directed to release him on bail imposing its own conditions so that he may not evade his appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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