

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16139 of 2023

Arising Out of PS. Case No.-93 Year-2018 Thana- AAYAR District- Bhojpur

Bindeshwari Singh S/O- Kaju Kumar Village- Mahathin Tola Po- Baligaon
Ps- Ayar Dist- Bhojpur at Ara Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

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
Aayar P.S. Case No. 93 of 2018 lodged under Sections 302, 506
& 34 of the I.P.C. read with Section 27 of the Arms Act.

As per the prosecution case, the allegation of killing
of the informant's husband is against the four named accused
persons including the petitioner.

Learned counsel for the petitioner submits that there is
nothing specific made in the F.I.R.. He further submits that a
general and omnibus allegation of killing has been made in the
F.I.R. and upon minute reading of F.I.R., it also transpires that

the informant is not the eye witness of this case.

Counsel further submits that there is one antecedent of the petitioner and he is in custody since 05.12.2022 and charge-sheet has already been filed in this case.

Learned counsel for the State opposes the prayer for bail and submits that it is case under Section 302 of I.P.C. in which direct allegation is against the petitioner and three others to kill the husband of the informant.

Upon specific query, whether charge has been framed 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 petitioner. Therefore, the bail application 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.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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