

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36277 of 2023

Arising Out of PS. Case No.-131 Year-2023 Thana- MADHAURAH District- Saran

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1. Saheb Rai Son Of Laxman Ray @ Laxman Prasad Yadav Resident Of Village - Bhuwalpur, P.S. - Marhowrah, Distt. - Saran (Chapra)
 2. Santosh Rai Sikandar Ray Resident Of Village - Bhuwalpur, P.S. - Marhowrah, Distt. - Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-06-2023 Let the defect(s), if any, be removed within two weeks from today.

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

3. The petitioners seek regular bail in connection with Marhowrah P.S. Case No. 131 of 2023 lodged under Sections 447, 341, 323, 324, 307, 504, 506/34 of the I.P.C.

4. Learned counsel for the petitioners submits that there are 2 petitioners in the present case whose name are figured in the F.I.R. as the F.I.R. has been lodged against 6 named accused persons. The specific allegation is against the petitioner No.1 that he has assaulted by way of riding on the feet of the nephew of the informant and there is general and omnibus allegation against the petitioner no.2.

5. Learned counsel for the petitioners submits that petitioners are in custody since 03.04.2023. He further submits

that due to mis-communication in the main petition, he has submitted clean antecedent but later on, counsel for petitioners informed that there are total 10 cases pending against them. In this aspect, he has filed supplementary affidavit in this case.

6. Learned counsel for the State opposes the prayer for bail and submits that there is direct allegation in the F.I.R. as well as there are 10 criminal cases pending against them and that aspect is necessary to be considered.

7. Upon specific query whether charge has been framed or not? Counsel fairly submits that he is not aware about the framing of charge.

8. In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioners. Therefore, the bail application of the petitioners is hereby rejected but liberty is hereby granted to the petitioners that they may renew their prayer for bail after framing of charge.

9. With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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