

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35731 of 2023

Arising Out of PS. Case No.-88 Year-2023 Thana- PURNEA SADAR District- Purnia

Prince Kumar Son of Sitanand Yadav, Resident of Village- Lakshminiya,
Ward No. 10, Post- Daparkha PS- Triveniganj, District- Supaul Pin 852139

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, 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 petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Sadar P.S. Case No. 88 of 2023 dated 01.02.2023, lodged under
Sections 379 & 411 of the Indian Penal Code.

4. As per prosecution case, the F.I.R. has been lodged
against four named accused persons including the present
petitioner. Allegation of theft of diesel from the running trucks
are against the petitioner and others.

5. Learned counsel for the petitioner submits that the
sections under which F.I.R. has been lodged are magisterial
triable. He further submits that petitioner is in custody since
01.02.2023, having three antecedents but in all the cases he is on

bail and chargesheet has already been filed in this case.

6. Learned counsel for the State opposes the prayer for bail and submits that the petitioner and other co-accused persons have been apprehended on spot and the articles relating to theft has been recovered from their possession. He further submits that petitioner has three criminal antecedents.

7. Upon specific query that whether charge has been framed in this case or not, learned counsel for the petitioner submits that charge has not been framed in this case.

8. In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present but liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge.

9. The trial court upon move for bail after framing of charge shall release the petitioner on bail imposing its own conditions so that he shall not evade his appearance during trial.

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

(Dr. Anshuman, J.)

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