

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36293 of 2023

Arising Out of PS. Case No.-357 Year-2022 Thana- BAKHARI District- Begusarai

Md. Mojashim @ Simha Son Of Late Suleman Resident Of Village -
Shakarpura, P.S. - Bakhri, Distt. - Begusarai.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Adv.

For the Opposite Party/s : Mr. Sucheta Yadav, 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
Bakhri P.S. Case No. 357 of 2022 registered on 13.11.2022
lodged under Sections 392 and 411 of the I.P.C.

4. As per the prosecution case, F.I.R. has been lodged
against three named accused, alleging therein that the said
unknown persons looted the informant by throwing chili powder
in the informant's eyes.

5. Counsel for the petitioner submits that name of the
petitioner has been figured in this case only and only due to the
reason that eleven cases pending against the petitioner.

6. Counsel submits that petitioner is innocent and has

committed no offence. He further submits that petitioner is in custody since 08.02.2023. Counsel also submits that the present case is Magisterial Triable. Upon specific query, whether charge has been framed or not, counsel submits that as per his knowledge charge has not been framed in this case.

7. Learned counsel for the State opposes the prayer for bail and submits that there are eleven cases pending against the petitioner and this aspect may be taken into consideration while granting him bail.

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.

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

10. Liberty is hereby granted to the petitioner that he may renew his prayer for bail, after framing of charge.

11. Trial Court is directed to release the petitioner on bail afterthat, imposing its own conditions, so that he may not evade his appearance during trial.

(Dr. Anshuman, J.)

Ashishsingh/-

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