

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36542 of 2023

Arising Out of PS. Case No.-27 Year-2021 Thana- GHANSHYAMPUR District- Darbhanga

Dinesh Mahto Son of Bideshi Mahto, Resident of Village - Garaul, P.S. -
Alinagar, Distt. - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Adv.

For the Opposite Party/s : Mr. Md. Shakir Ahmad, 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
Ghanshyampur P.S. Case No.27 of 2021 dated 11.02.2021,
lodged under Section 396 of the Indian Penal Code.

4. As per prosecution case, the F.I.R. has been lodged
against one named accused person and other unknown accused
persons.

5. Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R., his name has figured in this
case by virtue of confessional statement of the co-accused. He
further submits that the informant has identified only Raushan
Khan and he has disclosed the name of petitioner alongwith
other co-accused. He also submits that nothing incriminating

has been recovered from the possession of petitioner, nor he was put on T.I.P. Learned counsel for the petitioner submits that petitioner is in custody since 13.10.2022 having two criminal cases pending against him in which he is on bail in both the cases and chargesheet has already been filed in this case.

6. Learned counsel for the State opposes the prayer for bail and submits that at the time of granting bail criminal antecedent of petitioner may be taken into consideration.

7. Upon specific query that whether charge has been framed or not, learned counsel for the petitioner submits that as per his knowledge, 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. With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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