

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42275 of 2023

Arising Out of PS. Case No.-259 Year-2022 Thana- BISFI District- Madhubani

1. Phekan Yadav, Son of Narayan Yadav, Resident of village - Bisfi Bharan Tola, P.S. - Bisfi, Distt.- Madhubani
2. Badri Yadav @ Bidesh Yadav, Son of Narayan Yadav, Resident of village - Bisfi Bharan Tola, P.S. - Bisfi, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr.Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek regular bail in connection with Bisfi P.S. Case No. 259 of 2022, lodged on 06.09.2022 under Sections 147, 148, 149, 341, 323, 324, 307, 354B, 379 and 504 of the Indian Penal Code and Sections 3/4 of the Explosive Substances Act, 1908.

3. As per the prosecution case, the allegation against petitioner no.1 is of throwing bomb whereas petitioner no.2 alleged to have assaulted with farsa to one Ragini Devi.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. There



is case and counter case between the parties for the same occurrence. The petitioners are in custody since 03.05.2023 and apart from the present case, they are accused in one other criminal case.

5. Learned counsel for the State opposes the prayer for bail.

6. Upon specific query from the counsel for the petitioners whether the charge has been framed or not, learned counsel for the petitioners submits that he is not aware about the fact whether the charge has been framed or not.

7. Considering the allegation levelled against the petitioners in the First Information Report, I am not inclined to grant regular bail to the petitioners.

8. Accordingly, the prayer for regular bail of the petitioners in connection with Bisfi P.S. Case No. 259 of 2022, pending before the learned ACJM, Benipatti, Madhubani is hereby rejected.

9. However, the petitioners would be at liberty to renew their prayer for bail after framing of charge. The trial Court is directed to release the petitioners on bail after framing the charge by imposing its condition so that the petitioners may not evade appearance on the date fixed.



10. With this observation, the bail application stands disposed of.

(Dr. Anshuman, J)

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