

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60368 of 2022**

Arising Out of PS. Case No.-312 Year-2022 Thana- GARKHA District- Saran

Vikky Kumar Sah S/O Bholan Sah Resident of village- Garkha, P.S.- Garkha District- Saran at Chapra (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nawal Kishore Singh, Adv.

For the Opposite Party/s : Mr. Murli Dhar, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**

ORAL ORDER

3      22-02-2023                      Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Garkha P.S. Case No. 312 of 2022 lodged under Sections 307/34 of the I.P.C.

As per the prosecution case, the F.I.R. has been lodged against 2 named accused persons against whom the allegation is to make fire upon the nephew of the informant in his stomach. The cause of firing has also been explained in the F.I.R.

Learned counsel for the petitioner submits that the antecedent of the petitioner is clean and he is in custody since

20.05.2022. He also submits that charge sheet has already been filed without going through the opinion on the injury.

Learned counsel for the State opposes the prayer for bail and submits that the petitioner does not deserve bail as the charge has not been framed in this case at present.

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, therefore, his bail petition is hereby rejected.

Liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge and the Trial Court is directed to release him on bail, 2 months after framing of charge, imposing its own conditions, so that he may not evade his appearance during trial.

With this observation, the bail application stands rejected.

**(Dr. Anshuman, J.)**

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