

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56746 of 2022

Arising Out of PS. Case No.-160 Year-2022 Thana- LADANIA District- Madhubani

Chhotu Paswan S/o Bindeshwar Paswan R/V- Kauahi, P.S.- Basopatti, Distt-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Adv.

For the Opposite Party/s : Mr. Ajay Kumar, No.2, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 21-02-2023 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
Ladaniya P.S. Case No. 160 of 2022 lodged under Sections 397
of the I.P.C. read with Section 3/4 Explosive Substance Act,
1988.

As per the prosecution case, the F.I.R. has been
lodged against 12-14 unknown persons. The allegation of
dacoity is there in the F.I.R. and also of assaulting the informant
by axe by which the informant was brutally injured. They have
looted jewellery shop about 4 Kg, 1.5 lakh cash and family
jewellery about 25 bhar.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. He further submits that his name has figured in this case by virtue of confessional statement of co-accused. He submits that nothing was recovered from the possession of the petitioner and he was not put on T.I.P.

Counsel further submits that there is only one case pending against the petitioner in which he is on bail. He is in custody since 26.07.2022.

Learned counsel for the State opposes the prayer for bail and submits that from the order passed by Learned Addl. District and Sessions Judge, Madhubani, it transpires that the accused persons have looted and thrown bomb upon the police party also.

Upon specific query whether charge has been framed or not, counsel submits that charge has not been framed in this case.

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

The Trial Court is directed to pass an order for release

after framing of charge imposing its own condition 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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