

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36788 of 2025

Arising Out of PS. Case No.-394 Year-2020 Thana- MAKHDUMPUR District- Jehanabad

Md. Kaisher S/O of Md. Jamal Resident of Village- Harnitar, PS-
Makhdumpur, Dist- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Monina Khatoon W/O Late Md. Husain R/O Village-Japharganj, PS-
Jehanabad, Distt-Jehanabad(Bihar)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pronoti Singh, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Sessions Trial No.95 of 2021 arising out of Makhdumpur P.S.
Case No.394 of 2020 lodged on 04.10.2020, for the offence
punishable under Sections 304(B), 201 & 34 of the Indian Penal
Code read, pending in the Court of Additional Sessions Judge-
III, Jehanabad.

3. Learned counsel for the petitioner submits that the
regular bail application of the petitioner has earlier been rejected
vide order dated 03.05.2024 passed in Cr. Misc. No. 18415 of
2024 with liberty granted to the petitioner to renew his prayer



for bail nine months after framing of charge.

4. Learned APP for the State raised a preliminary objection and submits that as per paragraph nos.16 and 17 of the present bail application, it has been stated that the petitioner is in custody since 30.08.2022 and charge has already been framed on 27.02.2021. It transpires that the said statements are erroneous.

5. Upon a specific query of the Court from the counsel for the petitioner regarding the said statements, counsel is not in a position to explain how this situation occurred.

6. As such, this Court is of the view that the present bail application is defective, and accordingly, the same is hereby dismissed.

(Dr. Anshuman, J)

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