

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23558 of 2015

Arising Out of PS.Case No. -130 Year- 2013 Thana -BATHNAHA District- SITAMARHI

Babloo Jha @ Ravi Ranjan Jha, son of Late Umesh Jha, resident of village-
Majhauriya, P.S.-Bathnah, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Ashok Kumar Jha, Advocate.

For the Opposite Party : Mr. Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-08-2015 The petitioner is languishing in custody since 13.04.2015
in connection with Bathnaha P.S. Case No. 130 of 2013 for the
offences instituted under Section 396 of the I.P.C.

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

The prosecution story, in brief, is that on 10.06.2013 at
about 10.00 to 10.30 P.M. the informant and her son, namely,
Vijay Pathak @ Pappu Pathak went to sleep and at 11.30 to 12.00
midnight the informant heard sound of someone who had entered
into his courtyard after scaling over the roof and then they awoke
up. The son of the informant came to the door and found 5-6
miscreants on the western gate and then he inquired from them,
then they assaulted him with legs and slaps as a result, he fell



down and thereafter, the miscreants assaulted the informant's son by means of Kulhari causing cut injury on his head and bleeding started. Then the informant started crying upon which the miscreants threatened her and also snatched ornaments worth rupees 1.5 lakh and the miscreants stayed for one hour and committed the loot paat and they have taken away several articles also. Thereafter, her son Vijay went to the door of his uncle where he raised alarm, then the nearby persons came and took him to hospital but on way he died and she could not identify any miscreants. On the aforesaid allegation, present F.I.R. has been lodged against unknown 6-7 vide Bathnaha P.S. Case No. 130 of 2013.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.04.2015 and the charge sheet has been submitted in the present case. It is further submitted that the petitioner is not named in the F.I.R. and in this very case, other co-accused Bimlendu Singh was put on trial and has been acquitted by the trial court vide Sessions Trial no. 212 of 2014/118 of 2014. It is further submitted that the petitioner may be released after completion of five months in custody from 13.04.2015.

On behalf of the State it has been submitted that there are four criminal cases of similar nature pending against the

petitioner.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail after completion of five months in custody from 13.04.2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sitamarhi, in connection with Bathnaha P.S. Case No. 130 of 2013.

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(Sudhir Singh, J)