

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22332 of 2016

Arising Out of PS.Case No. -999 Year- 2015 Thana -SAHARSA District- SAHARSA

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1. Rohit Kumar Jha @ Rohit Jha Son of Surendra Mohan Jha, Resident of Village- Muradpur, P.S.- Nauhatta, District- Saharsa. At present resident of Mohalla- Gautam Nagar, Gangjala, P.S.- Saharsa, District- Saharsa.

.... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 24-05-2016 Heard learned counsel for the petitioner and learned APP for the Sate.

The petitioner seeks bail in connection with Saharsa P.S. Case No. 999 of 2015 registered for the offences punishable under Sections 302, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is named in the first information report but informant is not an eye witness of the alleged occurrence. The informant expressed his suspicion regarding the involvement of the petitioner and some others. Admittedly, one Shambhu Kumar Das who sustained injury in the alleged occurrence and from perusal of the order passed in Cr. Misc. No. 8184 of 2016 it reveals that Shambhu Kumar Das has stated that some unknown persons have fired and on that account he received injury and the deceased died.

Submission is of false implication and that considering all

these things co-accused Mukesh Ranjan Singh, Praveen Kumar Singh and Kundan Singh have been allowed bail vide order passed in Cr. Misc. No. 8183 of 2016, 19940 of 2016 and 20762 of 2016 respectively.

Learned APP submits that the petitioner has got criminal antecedent also.

In the facts and circumstances stated above, considering that other co-accused have been allowed bail, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Saharsa P.S. Case No. 999 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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