

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32535 of 2018

Arising Out of PS. Case No.-94 Year-2018 Thana- BEGUSARAI TOWN District- Begusarai

Raju Jha, S/o Late Ashok Jha @ Ashok Kumar Mishra, R/o Vill.- Bishnupur,
P.S.- Nagar, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babita Kumari, Advocate

For the Opposite Party/s : Smt. Rita Verma, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 02-07-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since in connection with the present case 16.03.2018 on his remand in connection with Begusarai Town P.S. Case No. 94 of 2018 for the offence registered under Sections 302,201,120(B)/34 of the Indian Penal Code and Section 25(1-b)a, 26,35 of the Arms Act.

Learned counsel for the petitioner submits that admittedly the FIR is against unknown persons but the petitioner was remanded in connection with the present case on 16.03.2018 on the basis of the confessional statement made before the police by one Abnish Kumar. It is further submitted that on the alleged date of occurrence the petitioner was already in judicial custody for which supplementary affidavit has been



filed today.

Learned counsel for the petitioner submits that save and except confessional statement of the co-accused before the police there is no material against the petitioner which has no evidentiary value in the eye of law.

In view of the facts and circumstances of the case and also because the petitioner is said to be in judicial custody on the date of occurrence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Begusarai Town P.S. Case No. 94 of 2018, subject to the following condition:-

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in Court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons his bail bonds shall be liable to be cancelled by the learned Court concerned.



(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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