

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6870 of 2019

Arising Out of PS. Case No.-277 Year-2018 Thana- DHAKA District- East Champaran

Bal Mukund Jha, aged about 24 years, Male, son of Late Ved Prakash Jha
Resident of village- Dumari, Kafsari, P.S.- Shyampur Bhatata, District-
Sheohar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra, Adv.

For the Opposite Party/s : Mrs. Gulnar Begum (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 11-03-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail registered
for the offences punishable under Sections 3353, 332, 324, 325,
307, 120-B, 302/34 of the Indian Penal Code and Sections 25(1-
b)a, 26/27 of the Arms Act.

Informant who is a police officer has stated in his
written complaint that on 16.07.2018, from Motihari Jail 21
prisoners were sent to be produced before the court, in which
one prisoner Abhishek Jha told him for urination and thereafter
when he return, he threw chilly power upon his face and tried to
flee away. In the meantime four criminal who came to set him
free started firing upon him, in the firing prisoner Abhishek Jha



was injured and fell down and when other police personnel tried to catch them they fled away. Thereafter, police recovered one pistol, three live cartridges and three empty cartridges.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case. Petitioner is not named in the FIR. Nothing incriminating article has been recovered from the possession of the petitioner. Similarly placed co-accused Kundan Kumar Jha and Raunak Kumar have been granted bail by this court vide order dated 25.02.2019 and 06.03.2019 passed in Cr. Misc. No. 2953 of 2019 and 5080 of 2019 respectively. Petitioner is in custody since 31.07.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Dhaka P.S. Case No. 277 of 2018, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by



Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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