

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9079 of 2019

Arising Out of PS. Case No.-161 Year-2018 Thana- NAUHATTA District- Saharsa

SANOJ JHA @ BISHWESH SHANDILYA, Male, aged about 21 years, S/O-
Gangesh Jha @ Gangesh Chandra Jha, Resident of Village- Muradpur, P.S.-
Nauhatta, District- Sahara ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Amarnath Jha, Adv.
For the Opposite Party : Mr. Anita Kumari Singh, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-02-2019 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
16.11.2018 in connection with Nauhatta P.S. Case No. 161 of
2018 for the offences alleged under Sections 341, 323, 307 and
34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that while he came out at 08.30 in the night he found four
persons on two motorcycles quarreling with each other, on being
objected by the informant the petitioner fired from his pistol,
but, it did not hit the informant. Thereafter, all the four
miscreants fled away in one motorcycle leaving the other
motorcycle.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal history and has
been falsely implicated in the aforesaid case, only on the ground



of being on inimical terms with the informant. He submits that no injury has been alleged to have been caused and the petitioner is languishing in judicial custody since more than three months.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named be released on bail, **on completion of six months in custody**, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Nauhatta P.S. Case No. 161 of 2018 to the satisfaction of the learned Chief Judicial Magistrate, Saharsa, subject to the condition one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Shamshad/-

U		T	
---	--	---	--

