

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9255 of 2019

Arising Out of PS. Case No.-658 Year-2018 Thana- KHAJANCHI HAT District- Purnia

AMAR KUMAR JHA @ AMAR JHA, aged about 36 years (Male), son of Late Narayan Jha Resident of Village-Bhawanipur, P.S.- Amour, District-Purnea at present R/o- Shiv Nagar, Mewa Lal Chauk, P.S.- K. Hat (Maranga) Dist-Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-02-2019 Heard the learned senior counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with K. Hat P.S. Case No. 658 of 2018 registered for the offence punishable under Sections 302, 224/34 and 120 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Incharge Superintendent of Observation Home, Purnea submitted to the Station House Officer of K. Hat Police Station is to the effect that on 19.09.2018 at 5:26 P.M. the Superintendent of Observation Home, Purnea informed the informant that the Juveniles in conflict with law Shubham Kushwaha, Brajesh Singh, Ritesh Eklauta Gupta @ Kallu Kala



and Vikash Yadav have fired on employee of the Observation Home, Bijendra Kumar and other Juvenile in conflict with law Saroj Kumar, whereupon the informant reached to the Observation Home when the injured were taken to the Sadar Hospital, Purnea and subsequently, both the injured died, leading to the registration of FIR against five persons. It has further come on record during the course of investigation that the said five accused persons were having close connection with the petitioner herein.

The learned senior counsel for the petitioner submits that except the fact that the petitioner is an Ex-House father of the said remand home, there is no material to suggest the complicity of the petitioner in the present case. It is submitted that though the petitioner has confessed his guilt before the Police but the same has no evidentiary value in the eyes of law. Lastly, it is submitted that the petitioner is having a clean antecedent and is languishing in custody since 22.09.2018. Other co-accused persons are stated to have been granted bail by coordinate Benches of this Court vide order dated 29.01.2019, 05.02.2019 and 07.02.2019 passed in Criminal Misc. No. 4738 of 2019, Criminal Misc. No. 5219 of 2019 and Criminal Misc. No. 7186 of 2019.



Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge, Purnea in connection with Sessions Trial No. 20 of 2019 arising out of K. Hat P.S. Case No.658 of 2018.

(Mohit Kumar Shah, J)

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