

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16611 of 2020

Arising Out of PS. Case No.-302 Year-2019 Thana- SAMASTIPUR District- Samastipur

PRANOT KUMAR JHA @ PRAMOD KUMAR JHA @ PRANAV KUMAR
JHA @ BABLOO @ BABLOO JHA, S/o Sri Ashok Kumar Jha, R/o
Mohalla- Adarsh Nagar, P.S.- Samastipur Town, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-07-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceeding.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 302, 120(B), 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per FIR, allegation against the petitioner is that he alongwith other co-accused persons after making conspiracy knowingly fired in the marriage ceremony causing murder of cameraman.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence, has falsely implicated in this case. The petitioner happened to be the elder brother of bridegroom and only allegation against him has



opened fire in air so there was not such motive to kill anyone, as such no offence u/s 302 of the I.P.C. is made out against the petitioner.

Learned APP for the State has vehemently opposes the prayer for bail petition and submits that the petitioner is FIR named and the petitioner was present at the place of occurrence and he was actively participated by opening the fir continuously.

In the aforesaid facts and circumstances, there is specific allegation of indiscriminate firing against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Samastipur Town P.S. Case No. 302 of 2019, GR No. 3099/2019 from the Court of learned C.J.M., Samastipur.

Accordingly, the application is dismissed.

However, petitioner is directed to surrender before the learned court below and make prayer for bail, the learned court below shall dispose of the bail petition on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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