

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17448 of 2020**

Arising Out of PS. Case No.-124 Year-2019 Thana- SHEOHAR District- Sheohar

JANGI JHA @ JOGGI JHA Son of Kanhai Jha Resident of Village - Sugiya
Katsari, P.S.- Sheohar, Distt - Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Adv
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

3 08-09-2020 Heard Learned counsel for the petitioner and Md.
Fahimuddin, learned A.P.P. for the State.

The sole petitioner, in the present case, is seeking regular bail in connection with Sheohar P.S. Case No. 124 of 2019 registered for the offence under Sections 302, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act and further Section 307 of the Indian Penal Code was added, pending in the court of learned Chief Judicial Magistrate, Sheohar.

Learned counsel for the petitioner submits that the petitioner is quite innocent and has only been falsely implicated in the present case. It is also submitted that the informant is not an eye witness to the occurrence and the petitioner has been involved because of village rivalry and previous enmity. It is also submitted that petitioner has no criminal antecedent and is in custody since



16.06.2019.

On the other hand, Mr. Fahimuddin, learned A.P.P. for the State submits that there is a specific allegation in the first information report that this petitioner along with one Raushan Jha co-accused had fired upon the deceased Indradeo. The post mortem report of the deceased shows four fire-arm injuries on his body and therefore the ocular material in form of the informant being an eye witness to the alleged occurrence is getting support from the kind of injuries found on the dead body.

Having regard to the facts and circumstances of the case wherein there is a specific allegation against this petitioner that he along with co-accused had open fired and the post mortem report suggests that Indradeo (deceased) had suffered four fire-arm injuries, considering the gravity of the offence alleged and the kind of materials against the petitioner, I am not inclined to grant privilege of regular bail to the petitioner.

Prayer for regular bail of the petitioner is, thus, refused.

Let the trial be expedited.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

