

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24311 of 2020

Arising Out of PS. Case No.-41 Year-2020 Thana- KUDHNI District- Muzaffarpur

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ASHUTOSH KUMAR JHA Son of Sudhir Jha Resident of Village- Galimpur,
P.S.- Rajepur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-09-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner seeks bail in Kudhani P.S. Case No. 41

of 2020, registered for the offence punishable under Sections

399, 402, 414 and 34 of the Indian Penal Code.

On specific input, a raid was conducted in the hotel of

accused Saroj Singh near Akrahan bridge in village

Chandrahatti. It is alleged that seven persons were present out of

whom, four accused persons including this petitioner were

apprehended by the police and rest accused persons fled away.

From possession of this petitioner, one loaded country made



pistol and two cartridges were recovered.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. No incriminating article has been recovered from possession of this petitioner. Similarly, situated co-accused Aman Kumar has been granted bail by a coordinate Bench of this court vide order dated 20.08.2020 passed in Cr. Misc. No. 21211 of 2020. Chargesheet has already been submitted. Petitioner is in custody since 25.01.2020 having clean antecedent.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 3rd West, Muzaffarpur in connection with Kudhani P.S. Case No. 41 of 2020, subject to following conditions:-

(i) The 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 the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.



(ii) 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.

(Prabhat Kumar Singh, J)

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