

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26599 of 2020

Arising Out of PS. Case No.-691 Year-2019 Thana- KATIHAR District- Katihar

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SUJEET JHA @ SUJIT JHA Son of Bachandev Jha Resident of Mohallah -
Mufarganj, P.S. - Katihar Town, District - Katihar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Bimal Kumar, Advocate
For the Opposite Party : Mr. Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-10-2020 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 Katihar Town P.S. Case
No. 691 of 2019, registered for the offence punishable under
Sections 326, 307 and 34 of the Indian Penal Code.

As per prosecution case, on 17.10.2019 at 7.30 pm,
while the informant was at his tiles shop, in the meantime, one
Birendra Kumar Yadav came and purchased tiles. In the
meantime, two unknown miscreants entered into his shop and
fired upon them, as a result of which Birendra Kumar Yadav
received firearm injury and second firing caused injury to the



informant and thereafter, they fled away.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. Petitioner is not named in the FIR. Name of this petitioner has come in this case on the basis of confessional statement of co-accused Dabloo Singh. No incriminating article has been recovered from possession of this petitioner. No test identification parade has been held till date. However, petitioner is accused in four more cases, but he is on bail in all those cases. Similarly situated co-accused have been granted bail by this court vide order dated 28.02.2020 passed in Cr. Misc. No. 6964 of 2020, order dated 01.06.2020 passed in Cr. Misc. No. 7785 of 2020. Charge sheet has already been submitted. Petitioner is in custody since 21.10.2019.

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 Sessions Judge, Katihar in connection with Katihar Town P.S. Case No. 691 of 2019, 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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