

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25758 of 2020

Arising Out of PS. Case No.-3 Year-2020 Thana- NAYAGAON District- Begusarai

Deepak Jha @ Karib, S/o Jhalku Jha, Resident of Village- Salah Singhpur,
P.S.- Naya Gaon, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 13-10-2020 In view of the submission and undertaking of the learned counsel for the petitioners, at the time of hearing of this application through Video Conferencing, that he would remove the defect(s), as pointed out by the stamp reporter, within two weeks of starting of the Court proceeding in physical mode, he is permitted to remove the same accordingly.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through Video Conferencing.

The petitioner is accused in connection with Nayagaon P.S. Case No. 03 of 2020, registered under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that in the evening of 15.01.2020,



informant, Ram Sajan Yadav, was present at his door near the fire. At that time, his brother, Ravi Yadav was coming to his house from Balhpur and when his brother reached near the house of Manoj Yadav, Deepak Jha (petitioner), Promod Jha, Tinku Jha along with Mukesh Saw were present there and two persons were also present on another motorcycle covering their face. In the meantime, Deepak Jha (petitioner), Promod Jha and Mukesh Saw caught hold his brother, Ravi Yadav, and Tinku Jha took out the pistol and fired at the temporal of his brother, Ravi Yadav, who fell down and thereafter, all fled away. The cause of occurrence is that Abhinandan Kumar, son of the informant, performed the marriage due to love affairs with Munmun Kumari, daughter of Promod Jha and both used to reside together, regarding which, they threatened him for dire consequences.

Learned counsel for the petitioner submits that informant and the petitioner are co-villagers and due to dirty village politics, petitioner has falsely been implicated in the present case without any specific overt act. Further submission is that it would appear from the FIR that the assailant of Ravi Yadav, brother of the informant, is Tinku Jha. It is further submitted that petitioner has no criminal antecedent and is in



custody since 17.01.2020.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate Ist Class, Begusarai, in connection with Nayagaon P.S. Case No. 03 of 2020. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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