

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20487 of 2021

Arising Out of PS. Case No.-221 Year-2020 Thana- PIPRA District- Supaul

NAVIN KUMAR JHA @ RINKU JHA Son of Kanhaiya Jha Resident of
Village - Pipra, P.S.- Pipra, Distt.- Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Adv. Mr. Abhijeet Kumar, Adv. Mr. Anuj Kumar, Adv.
For the Informant	:	Mr. Gopal Kumar Jha, Adv.
For the State	:	Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 15-11-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 201 and 34 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that he received information about discovery of the dead body of his son. He states that he is convinced that the petitioner, Rajan Jha and other accused persons have a hand in the killing. It is further stated that Rinku Jha and Rajan Jha had some dispute with his deceased son.

It is submitted by learned senior counsel appearing for the petitioner that the allegations as levelled in the F.I.R.



with respect to the petitioner are false and concocted. Even accepting the statement made in the F.I.R. for the sake of argument, it is submitted that so far as the petitioner is concerned, only suspicion has been raised against him. The petitioner is in custody since 26.11.2020 and has no criminal antecedent.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioner is named in the F.I.R. but independent witnesses examined in course of investigation, whose statements have been recorded in paragraph nos. 26, 30 and 31 of the case diary, have supported the allegations against the petitioner that he was seen with the deceased just before the occurrence.

In response, it is submitted by learned senior counsel for the petitioner that at best the case against the petitioner is one of last seen.

As per the report received from the learned trial court contained in letter dated 1.10.2021 of the Additional District and Sessions Judge V, District Supaul, three prosecution witnesses have been examined in the trial.

Having heard learned counsel for the parties and



taking into consideration the facts of the case together with the material that has transpired in course of investigation, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.204 of 2020 (arising out of Pipra P.S. Case no.221 of 2020) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge V, Supaul.

In view of the progress in the trial as per the report received from the trial court, it is directed that the petitioner shall remain physically present in the trial court on each date of the trial and in case the learned trial court is of the opinion that the trial is being delayed due to non-cooperation on part of the petitioner, he may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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