

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21412 of 2021

Arising Out of PS. Case No.-38 Year-2019 Thana- RAUTARA District- Katihar

Rakesh Jha Son of Krishnanand Jha @ Munendra Jha Resident of Village -
Mirchaibari (Shitla Asthan), P.S.- Katihar (Sahayak), Distt.- Katihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pathak, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-08-2021 Heard the parties through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 302/120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is that he along with other accused persons committed murder the son of the informant by means of firearms.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that police after investigation submitted the



charge-sheet only against Tipu Poddar and Rakesh Jha (petitioner) and submitted final form in favour of Bablu Jha. He submits that allegation of suspicion against the petitioner and co-accused Bablu Jha is that they had threatened the deceased earlier but it is false and concocted. He further submits that petitioner bears no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 11.12.2020.

Considering the facts and circumstances of the case and the fact that only on suspicion petitioner has been made accused in this case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Rautara P.S. Case No. 38 of 2019.

(Anjani Kumar Sharan, J)

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