

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21507 of 2021

Arising Out of PS. Case No.-61 Year-2018 Thana- SHAMBHUGANJ District- Banka

ROSHAN JHA @ ROSHAN KUMAR JHA Son of Late Sobha Kant Jha
Resident of Village- Badi Khajuri, P.S.- Shambhuganj, District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bal Krishna Mishra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

The petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 504 and 302 of the Indian Penal Code.

Allegation against the petitioner is that he along with other accused persons assaulted the informant, his family members and his wife by means of rod and lathi.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. He submits that after investigation police submitted final form against the petitioner but the learned court below has taken cognizance against him. There is general and omnibus allegation of assault against the petitioner. He submits that similarly situated co-accused has been granted bail by a coordinate Bench of the Court in Cr. Misc. No. 23626 of 2019 on 12.04.2019. 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 04.01.2021.

Considering the facts and circumstances of the 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 Shambhuganj P.S. Case No. 61 of 2018, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(II) that the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(III) that the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.



(IV) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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