

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23149 of 2021

Arising Out of PS. Case No.-361 Year-2020 Thana- BIDUPUR District- Vaishali

GOLU JHA SON OF GANESH JHA RESIDENT OF VILLAGE-
RAHIMAPUR, P.S. BIDUPUR, DISTRICT VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shivjee Singh, Adv. Mr.Mukesh Kumar, Adv.
For the Opposite Party/s :		Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 27-10-2021 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner seeks bail in connection with Bidupur P.S.
Case No.361 of 2020, registered for the offence punishable under
Sections 399, 402, 120(B) of the Indian Penal Code and sections
25(1-b)a, 26 and 35 of the Arms Act.

The prosecution case in short is that police received
information that 8-10 miscreants are planning to commit some
crime near Vaishali Central School. On such information, the
informant reached there and apprehended several accused persons
and from their possession pistols and cartridges were recovered.
They disclosed the name of their other associates including the
name of petitioner, who were then in jail custody and managing



the people.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No offence as alleged has ever taken place. He has been falsely implicated in this case. He has not been apprehended on the spot nor any incriminating article has been recovered from his conscious physical possession rather he was in incarceration in the jail on the alleged date of occurrence but police implicated him with false and concocted story on the instance of his enemy. It is submitted that charge has not yet been framed against the petitioner. The petitioner has three criminal antecedent and has been remanded in this case on 12.11.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail **after framing of charge** on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Bidupur P.S. Case No.361 of 2020.

(Anjani Kumar Sharan, J)

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