

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31152 of 2020

Arising Out of PS. Case No.-57 Year-2016 Thana- BIHRA District- Saharsa

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BHAGWAN JHA, S/o Harideshwar Jha, Residents of Village - Sihaul, P.S. -
Bihra, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Om Prakash Prasad, Advocate

For the Opposite Party/s : Mr. Sufiyan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 08-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 120(B) of the Indian
Penal Code and Section 27 of the Arms Act.

Petitioner is assailant of the deceased.

Petitioner is in jail since 30.04.2016.

In the past, twice prayer for bail was refused.
However, the trial is still at the stage of prosecution evidence.

Learned counsel for the petitioner submits that several
criminal cases against the petitioner have resulted in acquittal
and only two cases are still pending under the SCST Act.
Petitioner is ready to cooperate with the trial. Due to political
reason, the petitioner has been falsely implicated in this case.

Considering the period already undergone by the



petitioner as under trial prisoner, let the petitioner, above named, be released on bail on furnishing bail bond of **Rs.50,000/- (Rupees Fifty Thousand)** with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bihra Police Station Case No. 57 of 2016, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of territorial jurisdiction of the learned court below.

(d) If the trial would be found to be hampering due to non-cooperation of the petitioner that would be a ground for cancellation of bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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