

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49108 of 2021

Arising Out of PS. Case No.-162 Year-2021 Thana- RUNISAIDPUR District- Sitamarhi

ANKIT JHA @ ANKIT KUMAR Son of Sanjay Jha @ Sanjay Kumar Jha
Resident of Village- Rain Bishuni, P.S.- Runnisaidpur, District - Sitamarhi
-843328.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 17-12-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Runnisaidpur P.S. Case No. 162 of 2021 registered for the offence under Sections 394, 412 and 414 of the Indian Penal Code.

Two unknown miscreants are said to have fired upon the informant, resultantly, he sustained gunshot injury on left side of his face rendering him unconscious and on being so, the miscreants looted away his Rs. 27000/-.



Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. In fact, the petitioner has not been named in the F.I.R and merely on the basis of confessional statement of the co-accused, namely, Ravi Rauniar, this petitioner has been apprehended in this case. Save and except the confessional statement of the co-accused, no cogent material has come during course of investigation against the petitioner. Neither anything incriminating has been recovered from the possession of the petitioner nor he has been put on T.I.P. till date. The petitioner is rotting in judicial custody since 16.03.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Runnisaidpur P.S. Case No. 162 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall



be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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