

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37495 of 2020

Arising Out of PS. Case No.-147 Year-2020 Thana- RAJNAGAR District- Madhubani

Nitish Kumar Jha S/o Sri Mithilesh Jha R/o Village- Rampatti Bisahara Tole,
P.S.- Rajnagar, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-02-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 10.06.2020 in connection with Rajnagar P.S. Case No. 147/2020 registered for the offences punishable under Sections 341/504/506/307/34 of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution case, while the informant's brother was going to mango orchard, all the three F.I.R. named accused persons along with this petitioner came on motorcycle, surrounded him and one co-accused, namely, Sudesh Kumar Singh @ Sonu Singh shot his brother who, later on, during the course of treatment died in hospital.

It is submitted on behalf of the petitioner that allegation of firing is against co-accused Sudesh Kumar Singh @ Sonu Singh and this petitioner is alleged to have abused



and was present at the time of occurrence. Chargesheet has already been submitted in this case and petitioner is in custody since 10.06.2020.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Madhubani in connection with Rajnagar P.S. Case No. 147/2020, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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