

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1123 of 2021

Arising Out of PS. Case No.-236 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

RAJA KUMAR @ PRASHANT JHA @ PRASHANT RAJ son of Rajesh
Kumar Jha, Resident of village-Subhai, P.S. Hajipur Sadar, Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Choudhary

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-03-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 12.04.2020 in connection with Hajipur Sadar P.S. Case No. 236 of 2020 registered for the offences punishable under Sections 399/402/414/418 of the Indian Penal Code and Section 25(1-B)a, 26/35 of the Arms Act.

As per the prosecution case, on secret information that some persons have assembled near the Government Primary School and planning to commit dacoity, a raid was conducted and 3-4 persons were apprehended including this petitioner. On search, one loaded country-made pistol and one live cartridge were recovered from possession of this petitioner.

It is submitted on behalf of the petitioner that no arms



has been recovered from the possession of this petitioner rather it has been planted by the police. It is further submitted that during lock-down period, the petitioner was moving near his house and all of a sudden, the police reached there and some altercation took place between the petitioner and the informant of this case as a result of which he has been falsely implicated in this case. Chargesheet has already been submitted in this case. Petitioner is in custody since 12.04.2020.

Considering the aforesaid facts and circumstances and taking into consideration the period of custody, 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 Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Hajipur Sadar P.S. Case No. 236 of 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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