

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40196 of 2020

Arising Out of PS. Case No.-116 Year-2019 Thana- MUSRIGHRARI District- Samastipur

RAUSHAN KUMAR JHA S/o Bipin Jha R/o village- Morwa Dih, P.S.-
Musrigharari, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur, Adv.

For the Opposite Party/s : Mr. Chandra Sen Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 20-02-2021 Heard Mr. Suneil Kumar Thakur, learned counsel
for the petitioner and Mr. Chandra Sen Prasad, Additional
Public Prosecutor for the State.

Petitioner seeks regular bail in connection with
Musrigharari PS Case No. 116/2019 registered for the offence
punishable under Section 392 of the IPC.

The allegation, as per First Information Report lodged
by the truck driver/informant, is that on the date of occurrence,
two persons entered into his truck after breaking the glass and
took the informant as hostage and asked him to take the truck at
some distance and after covering distance of about three
kilometers, the accused persons transferred the tea bags which
were loaded on the truck to another vehicle and fled away. It is
further alleged that the informant was also deprived of his
mobile along with Rs. 8000/- by the accused persons.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive. Learned counsel next submits that petitioner is not named in the FIR and he has been implicated in this case on the basis of his confessional statement made before the police during his interrogation in another case.

Learned counsel also submits that petitioner is in custody since 13.01.2020 i.e., for more than a year. Learned counsel further submits that neither any incriminating or looted article has been recovered from the possession of the petitioner nor he has been put on TIP.

Learned counsel further submits that charge-sheet has already been submitted in the matter and there is no likelihood that the petitioner will abscond or tamper with the evidences.

Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 13.01.2020 i.e., for more than a year and the charge-sheet has already been submitted in the matter and there is no likelihood that the petitioner will abscond or tamper with the evidences, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, RAUSHAN KUMAR



JHA be released on bail on furnishing bail bond of Rs. 20,000/-
(Twenty Thousand) with two sureties of the like amount each to
the satisfaction of Sri C.B. Ram, learned Judicial Magistrate 1st
Class-cum-Additional Munsif, Samastipur/ the court concerned
in connection with Musrigharari PS Case No. 116/2019.

It is made clear that at the time of furnishing bail
bonds all the parties shall follow the guidelines of social
distancing.

(Anil Kumar Sinha, J)

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