

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1683 of 2021**

Arising Out of PS. Case No.-219 Year-2018 Thana- SAMASTIPUR District- Samastipur

RAHUL JHA @ RAHUL KUMAR JHA S/o Bipin Jha R/o village- Morwa
Dih, P.S.- Mushrigharari, District- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur

For the Opposite Party/s : Mr. Md. Mustaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 03-05-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner seeks bail in Samastipur Town P.S.
Case No. 219/2018 registered for the offences punishable under
Sections 394/302/34 of the Indian Penal Code and Section 27
of the Arms Act.

As per the prosecution case, on 30.08.2018 at about
2.5 p.m., when the informant along with armed guard was
taking cash of Rs. 52,74,127/- from L.I.C. office to keep the
same in the cash van standing on the road in front of the said



office, three unknown miscreants committed the murder of guard and looted the cash.

It is submitted on behalf of the petitioner that FIR has been registered against unknown and no incriminating article has been recovered from his possession. Name of the petitioner has surfaced on the basis of self confessional statement of the petitioner which has got no evidentiary value. It is further submitted that petitioner has not been put on T.I. Parade till date. Chargesheet has already been submitted in this case.

However, learned A.P.P. appearing on behalf of the State vehemently opposed the bail application and submitted that the petitioner looted the cash amount and committed murder of the guard in broad daylight. He further submits that petitioner bears criminal antecedent of five criminal cases of serious nature.

Considering the nature of allegation and the gravity of offence and keeping in view the criminal antecedents of the petitioner, this Court is not inclined to grant him bail.

It is, accordingly, rejected at present.

However, once charge is framed and trial is commenced, petitioner shall be released on bail by learned trial court to its own satisfaction on the condition that the petitioner



will co-operate in disposal of trial and shall appear before Court
as and when required.

(Prabhat Kumar Singh, J)

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