

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5082 of 2021

Arising Out of PS. Case No.-258 Year-2020 Thana- FORBESGANJ District- Araria

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Ashutosh Kumar Jha @ Babu aged about 22 years Son Of Padma Nand Jha
Resident Of Village - Ramai, Ward No 5, P.S. - Forbesganj, District - Araria

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-04-2021 This matter is taken up for consideration through Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 399 and 400,402 of the Indian Penal Code and sections 25, 26 and 35 of the Arms Act.

As per the prosecution case, on the secret information that some miscreants have assembled at the house of co-accused Yashodanand Jha to commit some offence, police conducted raid and apprehended eight of them including the



petitioner, all named in the FIR. On search, one live cartridge and a mobile phone were recovered from possession of this petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner. He is in custody since 5.4.2020 and Charge sheet has already been submitted.

Considering the period of custody of the petitioner, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Araria in Forbesganj Case No.258 of 2020/GR No. 1072 of 2020 on 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 cancelled 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.

(Prabhat Kumar Singh, J)

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