

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2498 of 2021

Arising Out of PS. Case No.-75 Year-2020 Thana- PURNAHYA District- Sheohar

Satendra Jha @ Satyendra Jha, aged about 37 years, Male, Son of Late Jay Kishor Jha, Resident of Village - Dostiya, P. S. - Purnahiya, District - Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N.K. Agrawal, Senior Advocate Mr.Ashok Kumar Jha, Advocate
For the State	:	Mr.Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-03-2021 Learned counsel for the petitioner is permitted to remove the defects within four weeks.

Heard Mr. N.K. Agrawal, learned senior counsel assisted by Mr. Ashok Kumar Jha, learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

The petitioner seeks bail in connection with Purnahiya P.S. Case No. 75 of 2020 registered for the offences punishable under Sections 302, 120B of the Indian Penal Code and Section 27 of the Arms Act.

One Subh Narayan Jha submitted a written report to the S.H.O. of Purnahiya Police Station on 21.06.2020 with an allegation that yesterday i.e. 20.06.2020 at 3:45 p.m. his elder



son Akhileshwar Kumar Jha @ Chandra Mohan Jha and younger son Awadhesh Jha and Sonu Jha were plucking mango in their orchard, in the meantime, three persons came on the motorcycle who were Satyendra Jha, Mrityunjay Kuamr Thakur and Jay Mangal Jha and Mrityunjay Thakur and Jay Mangal Jha were seen armed with pistol in their hands who shot fire upon his son Awadhesh Jha and thereafter, fled away towards east on the motorcycle. Thereafter, the injured was taken to the clinic of Dr. Varun Kumar where the doctor declared him to be dead.

Learned senior counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. As per the F.I.R., two persons namely, Mrityunjay Kumar Thakur and Jay Mangal Jha are alleged to have come with pistol who shot fire upon the informant's son. As per the F.I.R., even the entire allegation is accepted, only petitioner's presence has been shown among the accused persons. On perusal of the F.I.R., one Chandrashekhar Jha constructed boundary upon some portions of the land of the informant and earlier one Pramod thakur had given threat for facing dire consequences and the accused Mrityunjay Kumar Thakur is the son of Promod Thakur with whom there is land dispute as disclosed in the F.I.R. itself. Learned senior counsel for the petitioner further submits that



similarly situated co-accused has been granted bail by this Co-ordinate Bench of this Court vide order dated 01.12.2020 passed in Cr. Misc. No.31467 of 2020. Petitioner has got no any criminal antecedent and petitioner is in jail custody since 16.07.2020.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioner be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) only with two sureties of the like amount each to the satisfaction of learned A.C.J.M. II, Sheohar in connection with Purnahiya P.S. Case No. 75 of 2020.

(Anjani Kumar Sharan, J)

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