

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6724 of 2021

Arising Out of PS. Case No.-95 Year-2020 Thana- JADIA District- Supaul

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Jai Kishor Kumar Son of Arjun Yadav Resident of Village-Bhaiya Ram
Bishanpur , P.S - Bhargama, Distt- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Adv.

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 21-05-2021 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Jadia P.S. Case No. 95 of 2020 registered under section 412 of the Indian Penal Code and sections 25(1-B) (a), 26 and 35 of the Arms Act.

As per the allegation in the F.I.R. accused Vikas Kumar was caught by the police personnel and on disclosure made by him, it is stated that a loaded country made pistol was recovered.

It is submitted by learned counsel for the petitioner that from perusal of the contents of the F.I.R. it would transpire that neither the petitioner was caught at the place of occurrence nor has he been named or described therein by co-accused Vikas



Kumar, who is stated to have been caught by the police personnel. However, surprisingly his name has been added in the concluding paragraph of the statement of the informant as an accused. It is further submitted that the petitioner has been falsely implicated in the case because of other cases pending against him. Further referring to the order of the learned Court below it is submitted that no material has transpired against him except for confessional statement of co-accused made before police. The petitioner has not been put on T.I. parade. He is in custody since 24.08.2020 and charge sheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the contents of the FIR, the submissions made on behalf of petitioner together with the period in custody, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Jadia P.S. Case No. 95 of 2020 on furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate - Vth, Supaul.



(Partha Sarthy, J)

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