

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 8383 of 2021**

Arising Out of PS. Case No.-141 Year-2020 Thana- BAKHTIYARPUR District- Patna

BACHO JHA @ VINOD JHA SON OF LATE BHOTHU JHA R/o village-
Missi, P.S.- Bakhtiyarpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manan Kumar Mishra, Sr. Advocate Mr. Vishwajeet Kumar Mishra, Advocate
For the Opposite Party/s	:	Dr. Rabindra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 01-06-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Bakhtiyarpur P.S. Case No. 141 of 2020 registered under sections 307, 341, 324, 326 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the F.I.R., it is stated by the informant that for an occurrence which had taken place on 20.5.2020, Bacho Jha and others had been made accused. It is in retaliation to the said occurrence that the F.I.R. named accused persons, namely, Lanka Yadav, Shambhu Yadav and Awadhesh Yadav variously armed, in support of Bacho Jha came and started to abuse and threaten that the earlier case



should be withdrawn. It is further stated that Shambhu Yadav fired from his pistol as a result of which the informant was injured and Lanka Yadav also fired injuring Ayodhya Prasad.

It is submitted by learned Senior Counsel appearing for the petitioner that from perusal of the F.I.R. itself it would transpire that neither the petitioner is stated to be present at the place of occurrence nor any overt act has been alleged against them. He has been implicated in the case along with others by referring to an earlier case wherein the petitioner was falsely implicated. The petitioner is in custody since 10.7.2020 and investigation in the case has concluded.

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 facts and circumstances of the case, the contents of the F.I.R. wherein no overt act has been alleged against the petitioner, the period in custody and chargesheet having been submitted in the case, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Bakhtiyarpur P.S. Case No. 141 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 the learned Additional Chief
Judicial Magistrate III, Barh.

(Partha Sarthy, J)

Spd/-

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