

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29120 of 2021

Arising Out of PS. Case No.-49 Year-2014 Thana- PARBATTI District- Khagaria

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KRISHNA KUMAR JHA @ GHUTUS KUMAR JHA @ GHUTUS JHA Son
of Late Dashrath Jha Resident of Village - Muradpur, P.S.- Parbatta, Distt.-
Khagaria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Jha
For the Opposite Party/s : Mr.APP.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 07-02-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in virtual court

proceeding.

Let the defects, as pointed out by the office, be

removed within four weeks of start of normal functioning of the

physical court.

Petitioner seeks bail in connection with Parbatta P.S.

Case No. 49/ 2014 giving rise to Sessions Case No. 11/ 2021

registered for the offences punishable under Sections 307/34 of

the IPC and 27 of the Arms Act.

The prosecution case, in short, is that on 16.03.2014 at

about 8:30 PM, when after closing his shop the informant came

to his house, four persons came at the door of the informant and



shouted to open the door. It is further alleged that accused persons made firing and fire of petitioner hit on the chest of informant's brother due to which he fell down on the earth. After the incident, the accused persons fled away from there.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He further submits that as per FIR, four accused persons including the petitioner shot fire upon informant's brother. He further submits that father of the petitioner was murdered by Bambam Kumar Jha and others in which they had been convicted and at the instance of Bam Shankar Jha, the informant brought this false and fabricated case. He further submits that police after investigation submitted charge sheet against the petitioner. Petitioner is in custody since 13.10.2020.

The learned Additional Public Prosecutor vehemently opposed the prayer of bail on the basis of materials available on record as well as case diary and submits that there is direct allegation against the petitioner that he fired on the chest of informant's brother.

The trial court vide letter no. 181/ 2021 sent a report. From perusal of aforesaid report, it appears that trial is going on.



Considering the aforesaid facts and circumstances, I
am not inclined to grant bail to the petitioner and accordingly,
the same stands rejected.

However, the learned trial court is directed to expedite
the trial.

(Rajesh Kumar Verma, J)

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