

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 20189 of 2022

Arising Out of PS. Case No.-181 Year-2005 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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RAJ KUMAR JHA SON OF LATE GANESH JHA R/O VILLAGE- SALHA,
SINGHPUR, P.S.- NAYAGAON, DISTRICT- BEGUSARAI, AT
PRESENTLY RESIDING AT MOHALLA- SIR GANESH DUTT NAGER,
WARD NO.-22, P.S.- NAGAR, DISTRICT- BEGUSARAI.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 12-07-2022 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case
registered for the offences punishable under Sections 302, 34,
120(B) of the Indian Penal Code.

Allegation against petitioner and other co-accused
is of firing upon the husband of informant, as a result of which
he died.

It has been submitted on behalf of the petitioner
that petitioner is not named in the FIR. His name has surfaced in
this case only on the basis of confessional statement of co-
accused Rajesh Singh @ Kaila. Similarly placed co-accused

have already been acquitted by the court below itself as contained in Annexure-3. Petitioner has one criminal antecedent and is in custody since 06.02.2022.

Considering the nature of allegation against petitioner, I am not inclined to grant bail to the petitioner at this stage. Accordingly the prayer for bail is rejected.

However, petitioner may renew his prayer for bail after framing of charge. If charges have already been framed in this case, petitioner shall be released on bail by the court below itself on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, in connection with Muffasil P.S. Case No. 181 of 2005 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will

be at liberty to move for cancellation of
bail of the petitioner.

With the above observation, this application is disposed
of.

(S. Kumar, J)

Rajiv/veena-

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