

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43827 of 2021**

Arising Out of PS. Case No.-78 Year-2021 Thana- BARHIYA District- Lakhisarai

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Rajju Mira @ Raj Kumar Jha Son of Late Baban Jha Resident of - Misharwa
Tola, Near Kali Asthan, Barahiya, P.S.- Barahiya, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 20-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Barahiya
P.S. Case No. 78 of 2021 registered for the offence under
Sections 302, 201 and 34 of the Indian Penal Code and Section
27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 11.03.2021.

The allegation against the petitioner is to commit the
murder of father of the informant alongwith other co-accused
persons.

Learned counsel appearing on behalf of the petitioner



submitted that except last seen and suspicion there is nothing against the petitioner. As regard to criminal antecedent of the petitioner as mentioned in paragraph no.3 of the bail petition, it has further been submitted that petitioner is on bail in most of the cases out of which one case has been filed by the informant of the present case, which shows the previous enmity between the petitioner and the informant. While concluding the argument, it has further been submitted that during the course of investigation, nothing incriminating surfaced, which may connect the petitioner with the murder of the deceased and also chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that except last seen and suspicion, nothing incriminating surfaced against the petitioner during the course of investigation.

Considering the facts and circumstances as mentioned above, as the name of the petitioner surfaced on the ground of mere suspicion and on the basis of last seen only, let the petitioner, above named, is directed to be released on bail in connection with Barahiya P.S. Case No. 78 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, subject to the following conditions:

“(i) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Anamika Devi, who is the daughter of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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