

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47712 of 2021**

Arising Out of PS. Case No.-124 Year-2019 Thana- SHEOHAR District- Sheohar

Raushan Jha Son of Late Veda Jha Resident of Village - Sugiya-Katsari, P.S.-
Sheohar, District - Sheohar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Umesh Lal Verma

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 13-01-2022 Let the defects, if any, be removed within four weeks
of the complete start of the Physical Court.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Sheohar P. S Case No. 124 of 2019 for the
offences punishable under Section 302,120B/34 of the Indian
Penal Code and 27 of the Arms Act.

As per allegation in the F.I.R, informant Fuldev Sahni
while he was returning to his house, in front of the house of
Lalan Jha at Village Katsari six accused persons surrounded
him and the informant after seeing them started fleeing away.
The informant saw that Jagi Jha, Raushan Jha and Satish Jha
were firing from their pistol. Indradeo Sahni and Sonalal Shani



got firearm injuries. During course of treatment of S.K.M.C.H Indradeo Sahani was died.

Learned counsel for the petitioner submits that earlier the prayer for bail of the petitioner was rejected in Cr. Misc. No. 77113 vide order dated 16.03.2020 with a direction to conclude the trial of the petitioner on day to day basis and conclude the same within one year from the date of receipt of this order.

On 15.12.2021 a report was called for with regard to the present stage of trial. From perusal of the report, it appears that this case is pending for prosecution evidence due to Covid-19. Further submits that due to Covid-19 it is not possible to conclude the trial of the petitioner in near future. Petitioner is in custody since 13.06.2019.

The learned A.P.P opposed the prayer for bail of the petitioner and submits that petitioner is having four cases, which manifests in Paragraph-3 of the petition.

Considering the aforesaid facts and circumstances as well as submissions of the parties and period of detention of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional 1st Sessions Judge cum Special Judge, Sheohar in



connection with F.T.R No 97 of 2019 arising out of Sheohar
P.S.Case No. 124 of 2019,subject to the following conditions;-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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