

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55343 of 2021**

Arising Out of PS. Case No.-541 Year-2019 Thana- BAHADURPUR District- Darbhanga

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SUJEET KUMAR JHA @ SUJEET JHA Son of Baidynath Jha Residento of
Village - Dekuli, P.s.- Bahadurpur, Distt.- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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

2 24-01-2022 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 Bahadurpur
P.S. Case No. 541 of 2019 registered for the offences
punishable under Sections 341, 386, 307/34 of the IPC.

According to prosecution case, the informant alleges



that he was bus driver of Prakash Travels and on 26.10.2019 at about 11:30 AM, when he was driving the bus, two motorcycle borne persons stopped the bus and boarded in the said bus and began to demand money as *rangdari* and when owner of the bus refused to give money, the accused person assaulted the owner of the bus. In the meantime, when the informant tried to save him, the accused person stabbed the informant who sustained injury.

Learned counsel for the petitioner submits that petitioner has committed no offence and he has falsely been implicated in the present case. It is further submitted that petitioner is not named in the FIR. He further submits that from the impugned order it appears that specific allegation of stabbing the informant is against co-accused Ashish Jha. He further submits that till today no TIP has been conducted by the police and police after investigation submitted charge sheet against the petitioner. Petitioner is in custody since 06.01.2020.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries three criminal antecedent.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, be



released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-XI, Darbhanga in connection with Bahadurpur P.S. Case No. 541 of 2019, S.T. No. 17 of 2021, 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers 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 petitioner has concealed his 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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