

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57603 of 2021**

Arising Out of PS. Case No.-225 Year-2020 Thana- HATHAURI District- Muzaffarpur

AMIT JHA @ RAJA JHA S/o Krishna Kumar Jha @ Krishna Jha R/o
Village- Narma, P.S.- Hathauri, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 25-04-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 17.10.2020, seeks
regular bail in connection with Hathauri P.S. Case No. 225 of 2020
registered for offences punishable under Section 384 of the Indian
Penal Code and Section 27 of the Arms Act.

Prosecution story in brief is that accused Amit Jha @
Raja Jha had demanded a rangdari of rupees 5,000/- per month
from the informant. On 04.10.2020 at 8 p.m. informant's son
Bhanu Pratap went to the house of Sanjay Jha and while returning,
Amit Jha @ Raja Jha was standing at some distance. He abused
his son and told him that his father is not adhering to his demands
and hence he would be shot at. He took out pistol and fired at



Bhanu Pratap. Some Boys who were watching cricket match, came there and rescued him.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to village politics. He further submits that several criminal cases are pending against the petitioner in which he has already been released on bail but he has been roped in the present case on mere suspicion. Petitioner is in custody since 17.10.2020.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Taking into consideration the nature of allegation as well as the period of custody undergone by the petitioner, without going into the merits of the case, the petitioner, above named, is directed to be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Sri Deepak Kumar J.M. 1st Class, Muzaffarpur in connection with Hathauri P.S. Case No. 225 of 2020 subject to the following conditions:

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

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) 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.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(v) The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will loose its force automatically.

(vi) The petitioner will make his attendance before the concerned police station under which his house is located every fortnightly till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and the concerned SHO of the police station shall submit his monthly attendance report to the Superintendent of Police having jurisdiction.

(Purnendu Singh, J)

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