

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57962 of 2021

Arising Out of PS. Case No.-67 Year-2021 Thana- BENIPATTI District- Madhubani

1. Rishikesh Kumar Jha @ Raja @ Rishikesh Kumar Son of Binod Kumar Jha @ Binod Jha @ Binod Kumar Resident of Village - Teoth, P.S.- Benipatti, District - Madhubani.
2. Abhishek Kumar Jha @ Abhishek Jha Son of Vineet Kumar Jha @ Vineet Jha Resident of Village - Teoth, P.S.- Benipatti, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivnandan Bharti
For the Opposite Party/s : Mr.Pushpa Sinha.1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-02-2022 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State through video conferencing.

Petitioners seek bail in Benipatti P.S.Case No. 67 of 2021 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 326, 307, 302/120B of the Indian Penal Code and section 27 of the Arms Act.

As per prosecution case, petitioners along with two accused persons alleged to have assembled and participated in a meeting held in the house of Ashok Singh prior to the alleged occurrence. In the said meeting they had planned and had arranged arms which were used in the alleged crime.



It is submitted on behalf of the petitioner that petitioners are not present at the place of occurrence nor any specific allegation of overt act has been made out against the petitioners. Similarly situated co-accused Shobha Kant Mehta has been granted bail by this Court in Cr. Misc. No. 51722 of 2021 vide order dated 25.01.2022. Petitioners are in custody since 30.03.2021. Investigation has been completed.

Learned APP for the State has vehemently opposed the bail prayer of the petitioners and stated that petitioners are named in the F.I.R and they had planned conspiracy and arranged arms which were used in the occurrence in which five persons were killed.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioners, 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 Chief Judicial Magistrate 1st Benipatti in connection with Benipatti P.S. Case No. 67 of 2021.

(Prabhat Kumar Singh, J)

N.K/-

U		T	
---	--	---	--



