

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9984 of 2023

Arising Out of PS. Case No.-150 Year-2020 Thana- PURNAHYA District- Sheohar

Vikash Jha @ Kaliya S/O Subodh Jha Resident Of Village- Bathnaha, P.S.-
Bathnaha, District- Sitamarhi.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikash Kumar Jha

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 307, 302, 120(b)/34
of the Indian Penal Code and Section 27 of Arms Act.

As per allegation in the FIR, two miscreants
from the crowd started firing indiscriminately upon the
younger brother of the informant, namely, Narayan
Singh, due to which he and one Santosh Mahto
succumbed to gun shot injuries.

It is submitted by learned counsel for the



petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner was apprehended on spot nor anything incriminating has been recovered from his conscious possession. The name of petitioner sprang up in this case merely on the basis of suspicion. There is no overt act of allegation levelled against him. It is further submitted that petitioner is in judicial custody since 2019 in connection with New Delhi Special Cell P.S. Case No. 189 of 2019. It means that he was admittedly in judicial custody when the crime in question was committed and he was remanded in this case through video conferencing. It is also submitted that petitioner is languishing in judicial custody since 15.01.2021 in the present case. Similarly situated several co-accused persons have been granted Bail by several do-ordinate Benches of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.



Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with S.Tr. No. 51 of 2021, arising out of Purnahiya P.S. Case No. 150 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge III, Sheohar.

(Sunil Kumar Panwar, J)

nirajkrs/-

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

