

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29198 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- BHAIKAVSHTHAN District- Madhubani

Shiv Kumar Jha @ Bauku Jha Son Of Mahesh Jha Residence Of Village -
Mehath, P.S. - Bhairavasthan, Distt. - Madhubani.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar Thakur, Adv.

For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 07-06-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bhairavasthan P.S. Case No. 23 of 2023 registered on
09.02.2023 lodged under Sections 399, 402 and 414 of the I.P.C.

As per the prosecution case, F.I.R. has been lodged
against five named accused persons, against whom the
allegation of planning for *dacoity* is there in the F.I.R. and as per
the secret information, the police conducted a raid in which the
five persons including the petitioner were apprehended. It has
also come that from the possession of the petitioner a Glamour
motorcycle has been recovered but from petitioner's possession

nothing incriminating has been recovered.

Learned counsel for the petitioner submits that the similarly situated co-accused has been granted bail by the Co-ordinate Bench of this Court vide order dated 24.05.2023 in Cr. Misc. 28572 of 2023.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 10.02.2023 having one criminal case pending against him, in which he is on bail.

Counsel for the petitioner submits that petitioner has specifically taken a plea that petitioner deals with leasing a Tent House and the alleged co-accused persons visited his shop for booking the Tent House and in the meantime, the police came and caught them.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -I, Jhanjharpur, Madhubani in connection with Bhairavasthan

P.S. Case No. 23 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

Ashishsingh/-

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