

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50138 of 2023

Arising Out of PS. Case No.-137 Year-2022 Thana- KURSAKANTA District- Araria

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DIPAK KUMAR JHA @ DEEPAK JHA Son of Sri Subodh Kant Jha
Resident of village - Parmanandpur, Ward No.- 09, Madhukar Chak, District -
Madhepura, Bihar - 852101

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amrit Abhijat

For the Opposite Party/s : Mr.Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 399, 402, 307, 116, 120B of the Indian Penal Code and Sections 25(1-b)a, 26, 27, 35 of Arms Act.

3. As per prosecution case, some miscreants were assembled and preparing to commit offence, meanwhile the police team reached. The miscreants were trying to ran away by making firing after seeing the police party but some of them were apprehended on spot. The petitioner is alleged to have fled away from place of occurrence.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He was not apprehended on spot rather his name was disclosed by apprehended co-accused persons. Nothing has been recovered from conscious possession of the petitioner. He has got no criminal antecedent as stated in para-3 of the bail petition and languishing in judicial custody since 23.2.2023. Moreover, other co-accused persons who were apprehended on spot, have already been granted bail by different co-ordinate Bench of the Court which is evident from Annexure-2 series.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Kursakanta (Kuwari) P.S. Case No. 137 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-I, Araria.

(Sunil Kumar Panwar, J)

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