

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47759 of 2023

Arising Out of PS. Case No.-541 Year-2018 Thana- JAKKANPUR District- Patna

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SANJAY JHA @ PAPPU KUMAR Son of Umesh Jha Resident of village -
Sahbajpur, Salem, P.S. - Ahiyapur, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	: Mr. Rahul Kumar
For the Opposite Party/s	: Mr. Kalyan Shankar
For the Informant	: Mr. Suraj Narain Yadav

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-08-2023 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 363, 365, 420 & 379 of the Indian Penal Code later on Section 328, 392, 302, 201 & 414/34 of the Indian Penal Code was added.

3. This is the fourth attempt of the petitioner before this Court for grant of bail.

4. By order dated 26.07.2023, a report was called for from the learned Court below regarding the stage of the trial. In compliance thereof, the Incharge Additional District and Sessions Judge-XXII, Patna has sent a report dated 03.08.2023, in which it is, *inter alia*, stated that out of twelve charge sheet



witnesses, four witnesses have been examined and the case is fixed on 10.08.2023.

5. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case on the confessional statement of co-accused, Sujeet Kumar Rai. It is further submitted that except this petitioner, all the accused persons have already been granted bail by different coordinate Benches of this Court and the orders have been annexed as Annexure-3 series to this application. The petitioner was remanded in judicial custody in the present case on 07.07.2020 and since then he has been languishing in custody.

6. Learned APP for the State assisted by learned counsel for the informant opposed the bail petition.

7. Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sessions Trial No.90/2022, arising out of Jakkanpur P.S. Case No.541/2018, subject to the following conditions :

(i) One of the bailors will be his own blood relative, preferably,



father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(iii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(iv) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(v) The petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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