

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71879 of 2023

Arising Out of PS. Case No.-155 Year-2023 Thana- PANDAUL District- Madhubani

Aayush Kumar Jha @ Sammi Jha Son Of Late Shambhu Nath Jha Resident
Of Village- Kakna, Ps- Pandaul, Dist- Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary

For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and

learned APP for the State.

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

3. The prosecution case in nutshell is that petitioner and co-accused Lal Jha, both caught hold and co-accused Navin Kumar Mishra fired upon the son of informant due to which he sustained injuries between left eye and nose and when brought to Sadar Hospital, doctor declared him dead.



4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case in the background of land dispute. There is no specific allegation against the petitioner rather the specific allegation of firing is levelled upon co-accused Navin Kumar Mishra, due to which informant's son succumbed to fire arm injuries. Petitioner has no concern with the co-accused persons. Moreover, the petitioner is languishing in judicial custody since 18.07.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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

6. 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 Pandaul P.S. Case No. 155 of 2023 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 Chief Judicial Magistrate, Madhubani.

(Sunil Kumar Panwar, J)

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