

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69612 of 2022

Arising Out of PS. Case No.-356 Year-2019 Thana- GORAUL District- Vaishali

VIKASH JHA Son of Jhapashi Jha @ Prem Kumar Jha @ Prem Nath Jha
R/v- Goraul, P.S.- Goraul, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar
For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 399, 402, 413, 414 of the Indian Penal Code and section 25(1-b)a, 36, 35 of the Arms Act.

Prosecution case relates to assembly of antisocial persons for commission of offence. On chase, four persons were arrested who disclosed the name of the petitioner as of his associates. On search, several arms along with mobiles, motorcycles and Aadhar Card were recovered from their possession.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Petitioner



has not been put on TIP. Name of the petitioner transpired in this case on the basis of confessional statement of apprehended co-accused persons before the police, which has got no evidentiary value in the eye of law. Similarly situated other accused persons have been enlarged on bail vide order dated 31.08.2020 passed in Cr. Misc. No. 20562 of 2020 and vide order dated 06.02.2020 passed in Cr. Misc. No. 83983 of 2019. Petitioner has surrendered before the court below on 19.07.2022 and since then he is languishing in judicial custody.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned ACJM 1st Vaishali at Hajipur in connection with Goraul P.S. Case No. 356 of 2019.

(Sunil Kumar Panwar, J)

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