

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.502 of 2023

Arising Out of PS. Case No.-322 Year-2022 Thana- KUSHESHWARASTHAN District-
Darbhanga

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SOURABH JHA S/O Vijay Kant Jha R/O Village/Muhalla- Paghari, P.S-
Biraul, District- Darbhanga Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kedar Jha

For the Opposite Party/s : Mr.Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 10-05-2023 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 section 394 of the Indian Penal
Code and section 27 of the Arms Act.

As per allegation in the FIR, informant is a parcel
delivery boy and during his working time of home delivery, two
accused persons including the petitioner opened fire upon him
which hit his both thighs and they took his parcels item, cash of
Rs. 5,000/- and a mobile.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. Most of
the stolen articles were recovered from the house of co-accused
Shrikant Shanai and not from the possession of the petitioner.
One motorcycle has been recovered from the house of the



petitioner, about which petitioner has stated that the said vehicle belongs to him and he has shown all the concerned documents in respect of the vehicle. During investigation, CCTV footage was seen, in which villagers have not confirmly identified the petitioner. He has not been put on TIP. No consistent evidence has come out against the petitioner to show his involvement in the present case. Petitioner is languishing in judicial custody since 2.9.2022.

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 SDJM, Biraul, Darbhanga in connection with Kusheshwar Asthan P.S. Case No. 322 of 2022.

(Sunil Kumar Panwar, J)

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