

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3907 of 2024

Arising Out of PS. Case No.-366 Year-2015 Thana- MOTIHARI TOWN District- East
Champaran

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RAKESH JHA @ RAKESH KUMAR JHA SON OF CHANDRA SHEKHAR
JHA RESIDENT OF VILLAGE - FULWARIYA, P.S. - SAUGAULI,
DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar No.1, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Motihari Town P.S. Case no.366 of 2015 registered under sections 307, 341, 323, 324, 387 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that on his not paying the amount of *rangdari* demanded by the accused, the petitioner said that he would not survive the day. Thereafter it is stated that in the evening the accused persons assaulted him brutally seriously injuring him as a result of which he is undergoing treatment in hospital.

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



case. No such occurrence as alleged against the petitioner has taken place. Even accepting the allegations in the FIR, there is no overt act alleged against this petitioner who is in custody since 5.8.2023 and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., no overt act having been alleged against him, his being in custody since 5.8.2023 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Motihari Town P.S. Case no.366 of 2015 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, Motihari, East Champaran.

(Partha Sarthy, J)

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