

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15970 of 2024

Arising Out of PS. Case No.-156 Year-2019 Thana- GAURICHAK District- Patna

GAURAV KUMAR JHA @ BITTU SON OF BIRENDRA KUMAR JHA @
RABINDRA KUMAR JHA RESIDENT OF VILLAGE - SAMASPUR, P.S. -
FATUHA, DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 15-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gaurichak P.S. Case No. 156 of 2019 dated 30.03.2019 registered for the offences punishable u/ss 302, 120B read with section 34 of the Indian Penal Code and 27 of the Arms Act.

3. As per the prosecution case, when the husband of the informant was coming along with his maternal uncle Bimalendu Singh, in the meantime, two miscreants came on a motorcycle having helmets on their head and fired on her husband due to that he died and his maternal uncle received injuries and he was taken to hospital. It has also been alleged that the petitioner and the other persons have enmity with respect to the land dispute.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 06.09.2019 passed in Cr. Misc. No. 41292 of 2019. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 13.07.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna City in connection with Gaurichak P.S. Case No. 156 of 2019.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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