

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39543 of 2024

Arising Out of PS. Case No.-227 Year-2023 Thana- LAKHNAUR District- Madhubani

Sandeep Kumar Jha @ Bipul Jha, Male, aged about 27 years, son of
Dasharath Jha Village- Lohana Ps- Bhairab Sthan, Dist- Madhubani
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 05-07-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Lakhnaur (RS OP) PS Case No.227 of 2023 dated 20.10.2023,
instituted for the offence punishable under Sections 25(1-b)a,
26, 27, 35 of the Arms Act.

3. The prosecution case, in short, is that the informant,
who is ASI of Police got information that in village Madhura
one person was firing and terrorizing the villagers and
threatening them. The informant went to the place of occurrence
along with other police personnel and found that one person
started fleeing away upon seeing the police party. He was
chased and caught and he disclosed his name as Bishdev Anand
@ Anand Jha and from his possession one country made pistol



and one empty cartridge were recovered. It was disclosed by the apprehended person that said firearm was provided by the petitioner which they used to terrorize the people.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing has been recovered from the possession of the petitioner. Recovery of firearm and empty cartridge has been made from the possession of Anand Jha @ Bishdev Anand @ Bishwdev Anand, who has been granted bail by this Court by order dated 11.03.2024 passed in Cr. Misc. No.14835 of 2024. Lastly, it is submitted that the petitioner has eight criminal cases pending against him and he is in custody since 16.04.2024.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the ACJM-1, Jhanjharpur, Madhubani, in Lakhnaur (RS OP) PS Case No.227 of 2023, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without



sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, and (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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