

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43848 of 2024

Arising Out of PS. Case No.-357 Year-2023 Thana- CHIRAIYA District- East Champaran

Jay Prakash Kumar @ Jai Prakash Kushwaha @ Jay Prakash Kushwaha Son
Of Sri Bhagwan Prasad Kushwahan @ Sri Bhagwan Prasad Kushwaha
Resident Of Village - Ambariya, P.S. - Shikarganj, District - East Champaran
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh
For the Opposite Party/s : Mr. Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-08-2024 Heard Mr. Krishna Kant Singh, learned counsel for
the petitioner and Mr. Dilip Kumar No. 1, learned Additional
Public Prosecutor for the State and learned counsel for the
informant.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 147, 148, 149, 323, 324, 326,
307, 337, 338, 379, 387, 448, 504, 506 of the Indian Penal Code
and Section 27 of the Arms Act.

3. Allegation against the petitioner is that he along
with other accused persons named in the FIR and 50-60
unknown persons who alleged to be member of MCC demanded
extortion money of Rs. 1,00,000/- for the MCC party and when
the son of the informant denied it they subsequently assaulted
the informant's son and others brutally.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioner. He submits that though there is specific allegation against the petitioner that on the order of Satish Katariya he fired on Ganesh Kumar but injury report of Ganish Kumar belies the allegation. There is no eye witness to the occurrence. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application and he is languishing in judicial custody since 23.02.2024.

5. Learned APP for the State and informant oppose the prayer for bail.

6. Considering the facts and circumstances of the case and the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chiraiya (Shikarganj) P.S. Case No. 357 of 2023.

(Anjani Kumar Sharan, J)

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