

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66678 of 2023

Arising Out of PS. Case No.-161 Year-2017 Thana- SHASTRINAGAR District- Patna

SAJAN JHA SON OF LATE SITARAM JHA RESIDENT OF VILLAGE -
SALEMPUR, POLICE STATION - MUSRIGHARARI, DISTRICT –
SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. D.K. Sinha, Sr. Advocate
: Mr. Rajesh Kumar, Advocate
: Mr. Alexander Ashok, Advocate
For the Opposite Party/s : Mr. Anil Kr. Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 10-05-2024 Heard learned counsel appearing on behalf of

the petitioner and learned APP appearing on behalf of

the State.

2. The petitioner seeks bail in connection with

Shastri Nagar P.S. Case No. 161 of 2017 registered for

the offences under Sections 302, 324, 120B/34 of the

Indian Penal Code and Section 27 of the Arms Act.



3. The petitioner is named in the F.I.R. and is in custody since 23.06.2023.

4. The allegation against the petitioner is to commit murder of the son of informant alongwith other co-accused persons, where occurrence arises out of land disputes and criminal cases pending between the parties.

5. Learned senior counsel Mr. D.K. Sinha appearing on behalf of the petitioner submitted that there is no eye-witness of the occurrence, where allegation is appearing very much general and omnibus out of previous enmities and village politics, where petitioner implicated with the present case in very planned and formulated manner out of purely imaginary and false grounds. It is submitted that by taking note of said facts similarly situated co-accused persons Rakesh Kumar Jha and Manoranjan Giri have been granted anticipatory bail through learned Co-ordinate Benches of this Court through Cr. Misc. No. 48028 of 2017 vide order dated 09.11.2017 and Cr. Misc. No. 39222 of



2017 vide order dated 02.02.2018, respectively. While concluding the argument it is submitted that petitioner is a man of clean antecedent, where investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of the facts and circumstances as mentioned above as save and except suspicion, *prima facie*, nothing incriminating appears against petitioner, where similarly situated co-accused persons have granted anticipatory bail through learned Co-ordinate Benches of this Court, coupled with the fact as petitioner is in custody since 23.06.2023, where charge-sheet has already submitted, accordingly, petitioner, above named, is directed to be released on bail in connection with Shastri Nagar P.S. Case No. 161 of 2017 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction
of learned Additional Chief Judicial Magistrate-IV,
Patna/concerned court, subject to the conditions as
mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

U		T	
---	--	---	--

