

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85819 of 2023

Arising Out of PS. Case No.-136 Year-2021 Thana- BANGAWON District- Saharsa

1. Shankar Jha @ Kaila Jha @ Kaila SON OF LATE UDAY KANT JHA@ UDAY JHA
2. JITAN JHA @ LAXMAN JHA SON OF MAHESHWAR JHA
BOTH ARE RESIDENT OF VILLAGE CHAINPUR, WARD NO. 13, P.S.-
BANGAON, DIST.- SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Jha, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 19-03-2024

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Bangaon P.S. Case no.136 of 2021 registered under sections 302, 120B, 341, 323 and 324 of the Indian Penal Code.

3. As per the prosecution case, the three accused persons including the two petitioners herein are said to have called the younger brother of the informant, taken him away and soon thereafter he was found murdered.

4. Learned counsel for the petitioners submits that from the contents of the F.I.R. itself, it would be evident that the informant is not an eye witness to the occurrence. At best the



case against the petitioners is one of last seen. The petitioners are in custody since 14.10.2021 and inspite of their cooperating in the trial, the same has still not ended. The petitioners are ready to abide by all the conditions which may be laid by this Court for their release on bail.

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

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 8.2.2024 of the learned Sessions Judge, Saharsa, the case is fixed for final argument and is expected to conclude within two months.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R. together with the progress in the trial in the learned trial Court according to which the trial is near conclusion having been fixed for final argument, the Court is not inclined to enlarge the petitioners on bail and the application is rejected.

(Partha Sarthy, J)

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