

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2339 of 2024

Arising Out of PS. Case No.-9 Year-2023 Thana- SURYAGARHA District- Lakhisarai

Parichay Jha @ Banshidhar Jha S/O Late Premshankar Jha @ Premshankar Singh @ Prem Shankar Kumar Jha Village- Totaha, Ps. Sambho, Dist. Begusarai, Present Address, R/O Village- Bartalla, Ps. Surajgarha, Dist. Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a case registered for the offences punishable under Sections 395, 397, 412 of the Indian Penal Code.

As per the prosecution case, the informant states that over a dispute with respect to the terms of the rent of the informant's vehicle, it is stated that one of the five named accused persons took out a pistol and took away Rs. 1000/- from his pocket. Thereafter, the informant was forced to abandon his vehicle. He was



assaulted. On the crowd gathering over the altercation, it is stated that the accused persons made an attempt to escape but three of them were caught which include the petitioner herein.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner was just passer by and he roaming around the said place when he was caught by the police. The petitioner is languishing in custody since 08.01.2023. Moreover, other similarly situated co-accused has been granted bail by a coordinate Bench of this Court vide order dated 29.11.2023 passed in Cr. Misc. No. 73991 of 2023.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period



under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II, Lakhisarai in connection with Sessions Trial No. 136 of 2023, arising out of Surajgarha P.S. Case No. 09 of 2023.

(Sunil Kumar Panwar, J)

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