

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2533 of 2025

Arising Out of PS. Case No.-166 Year-2022 Thana- KHANPURA District- Samastipur

Jitu Kumar @ Jitendra Kumar S/o Prem Lal Mahto @ Premlal Mahto R/o
Village and Post- Khanpur, P.S.- Khanpur, Distt.- Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rambabu Yadav

For the Opposite Party/s : Mr.Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Khanpur P.S. Case No. 166 of 2022 dated 02.07.2022 registered for the offences punishable u/ss 307, 504 read with section 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, while the informant was going to his house at 8 P.M. in the meantime, the accused Raushan Kumar, Ravindra Roy, Jeetu Kumar (petitioner), Premlal Mahto who were sitting at Gyatri Mandir surrounded the informant and on the order of Arvind Kumar Roy and Premlal Mahto, the co-accused Roushan Kumar and the



petitioner Jeetu Kumar fired with arms upon the informant which hit at thigh and knee, thereafter the informant fell down and they fled away.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is admitted land dispute between the parties. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 16.04.2024 passed in Cr. Misc. No. 12097 of 2024. The informant sustained grievous injury on his thigh which is non-vital part of the body. As per para 104 of the case diary, the matter is related to a love affair and the petitioner has no connection with the FIR and as per para 108 of the case diary, the petitioner and his entire family are residing in the maternal grandfather's house, Bhaginman. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 21.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the plea of alibi cannot be considered at this stage.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-



named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Samastipur in connection with Khanpur P.S. Case No. 166 of 2022, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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