

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10072 of 2025

Arising Out of PS. Case No.-140 Year-2024 Thana- MUSRIGHRARI District- Samastipur

Satyam Kumar Jha @ Chhotu, aged about 24 years (M), Son of Avdhesh Kumar Jha, R/V-Lakhanpatti Ward No-9, P.S. Warisnagar, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioner and learned APP for the State and perused the case diary.

2. The petitioner is in custody in a case registered for the offence punishable under Sections 310(4), 310(5) and 61(2) of the BNS and 25(1-b)A, 26 and 35 of the Arms Act.

3. That the prosecution story in short is that informant S.H.O. of Musarigharari has written herself statement and alleged that on 26.9.2024 at 2.10 A.M. at Harpur Ailoth village therein that in the night of 25.9.2024 he along with police force was on patrolling duty. He got secret information that seven persons have assembled to commit the crime at Harpur Ailoth. There after seeing the police force, aforesaid persons tried to flee away. Other five persons were arrested.



They stated their names to be Satyam Kumar Jha, Sujit Kuamr, Bal Krishna Jha, Golu Kumar and on search from car, one Satyam Kumar Jha @ Chhotu was sitting on driving seat. One country made pistol with two live cartridges and from dicky one live cartridge, Hathaura and also one Khanti were recovered. It is further stated that arrested persons told that Ratan Kumar Chaudhary along with others have fled away. It is further stated that there is a dispute of Ratan Kumar Chaudhary with Raja Ram Sharma from the possession of the land.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case merely on the basis of suspicion. He next submits that nothing has been recovered from the conscious possession of the petitioner and there is land dispute is going on between Ratan Kumar Chaudhary and Raja Ram Sharma as stated in para-10 of the petition. He next submits that co-accused Ratan Kumar Chaudhary has been allowed bail by the learned District & Sessions Judge, Samastipur. Petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody since 26.09.2024.

5. Learned APP for the State opposes the prayer for bail of the petitioner.



6. In view of the aforesaid facts and circumstances and also the fact that petitioner has got clean antecedent and he is in custody for more than seven months, so let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Samastipur in connection with Musarigharari P.S. Case No. 140 of 2024.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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