

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32963 of 2025

Arising Out of PS. Case No.-490 Year-2023 Thana- DALSINGHSARAI District- Samastipur

Sita Ram Jha S/O Late Tirpit Jha Village- Loknathpur Belbanna, Ward no. 24,
P.S.- Dalsingsarai, Dist.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Surya Narayan Roy, Advocate
For the State : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 448, 341, 323, 307, 379, 302 and 354 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, it is alleged that all the FIR named accused persons, including this petitioner, made indiscriminate firing on the house of the informant due to which informant's son died on the spot, whereas one Krishnamurti Rai sustained injuries. It is further alleged that accused persons also assaulted female members of the house and looted gold and silver ornaments and cash of Rs. 50,000/- from the house.

4. It is submitted by learned counsel for the petitioner



that petitioner is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that it was co-accused Rajnish Jha, Avanish Jha, Mohan Poaswan and Sushil Rai who were having fire arms at the time of the alleged occurrence. So far as this petitioner is concerned, there is no allegation that he was having any fire arm and no specific accusation of overt act has been alleged against him. Similarly situated co-accused person, namely Raju Paswan, has already been granted bail by this Hon'ble Court vide order dated 06.12.2024 passed in Cr. Misc. No. 53722 of 2024. Moreover, charge-sheet has already been submitted and petitioner is in custody since 14.08.2024. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the nature of accusation, period of custody, claim based on parity and clean antecedents of the petitioner, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, 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 District and Additional Sessions Judge,



Dalsingsarai, District- Samastipur in connection with
Dalsingsarai P.S. Case No. 490 of 2023.

(Prabhat Kumar Singh, J)

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