

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48318 of 2025

Arising Out of PS. Case No.-399 Year-2024 Thana- RAJAON District- Banka

Karan Jha S/O Late Sanjay Jha @ Late Sanjay Kumar Jha R/O Village-
Kamalpur, P.S- Barahat, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State

2. The petitioner seeks bail in connection with Rajaun
P.S. Case No. 399 of 2024, dated 22.08.2024, registered for
offences punishable under Section 309(4) of the Bharatiya
Nyaya Sanhita, 2023 (for short, "the BNS"). However, the
charge sheet has been submitted under Sections 309(4) and
317(2) of the BNS.

3. The prosecution case, in brief, is that on 21.08.2024
at around 1:00 AM, while the informant was transporting water
tanks from Asansol to Araria, he was intercepted near Rajawar
Chowk by four miscreants on two motorcycles. They brandished



a country-made pistol and chased the truck when the informant tried to escape. When the vehicle stopped near Sanjha, the miscreants forcibly took the truck keys, they threatened that if he make a noise they would kill him, and fled away with the vehicle. One of the assailants was injured during the scuffle. The informant immediately informed his employer, Mukesh Kumar, about the incident.

4.Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is submitted that, during the course of investigation, it transpired that the truck in question was recovered by the police from the main road, wherein co-accused Abhishek kumar was found driving the vehicle and the petitioner was allegedly seated behind him. It is further submitted that one country-made pistol along with one live cartridge was recovered from the possession of the petitioner, for which a separate case, bearing Rajaun P.S. Case No. 400 of 2024, was instituted on the same date. It is next submitted that three other criminal cases are pending against the petitioner, and he has been languishing in custody since 01.10.2024.

5. On the other hand, learned A.P.P. has opposed the prayer for bail.



6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM Banka, in connection with Rajaun P. S. Case No. 399 of 2024, subject to the following conditions: (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail and (v) that the petitioner will appear before the SHO of concerned PS in the first week of each month till the framing of charge in this case.



7. The application stands allowed.

(Khatim Reza, J)

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