

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40048 of 2015

Arising Out of PS.Case No. -169 Year- 2015 Thana -ARARIA District- ARRARIA

1. Pappu Jha @ Amarkant Jha Son of Chandra Nand Jha @ Chunna Jha
resident of village - Khawaspur, P.S. Forbesganj (Simraha), District -
Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarangdhar Jha, Advocate

For the Opposite Party/s : Mr. Harendra Prasad(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-10-2015 Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections
302, 201/34 of the Indian Penal Code.

The prosecution case is that the dead body of the
husband of the informant namely Shashi Bhushan Mishra
was recovered. When suspicion was raised against the
brother of the victim Kanhaiya Mishra with whom the
husband of the informant has some land dispute. It is
further suspected that Kanhaiya Mishra set up the
petitioner being brother-in-law (sala) Kanhaiya Mishra and

Kusheshwar Jha to kill the victim.

It is submitted by the learned counsel for the petitioner that only on suspicion the accusation has been levelled. No cogent material has been collected during investigation.

It is submitted by the learned counsel for the informant that this petitioner tried to divert the attention of the informant by suggesting that he has seen the dead body and the same is not the dead body of the husband of the informant.

Considering the suspicious nature of accusation, the brother of the victim Kanhaiya Mishra has been granted bail vide Cr. Misc. No. 32314 of 2014 and statement has been made in para-3 of the petition that petitioner has no criminal antecedent, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 169 of 2015, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

The bail bond of the petitioner shall be accepted by the learned court below on filing affidavit to the effect that he will cooperate during investigation. The said affidavit will be transmitted to the concerned I.O. The non-cooperation in the

investigation will give liberty to the learned court below to
cancel the bail bond of the petitioner.



(Dinesh Kumar Singh, J)