

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16157 of 2015

Arising Out of PS.Case No. -24 Year- 2012 Thana -NAUHATTA District- SAHARSA

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Baidyanath Jha son of Late Cheedi Jha, resident of village- Mohanpur, P.S.
Nauhataa, District- Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gyanand Roy

For the Opposite Party/s : Mr. Amrendra Pd.(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 26-08-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

The petitioner is languishing in jail custody since
20.1.2015 in Nauhatta P.S. Case No.24/12 for the offence under
Sections 302, 201 and 120(B) of the I.P.C.

The prosecution case, in short, is that
marriage of Kanchan Kumari who is the sister of the
informant, namely, Pramod Kumar Jha, was solemnized
with Sunil Kumar Jha who happens to be the son of the
petitioner. After some time sasural people of the victim
used to torture her and the husband of the victim used to
make protest. On account of making protest the husband



of the victim lady was killed by his parents, sister and brother-in-law on 18.1.2000. But the sister of the informant could save herself somehow. Thereafter she used to remain at her naihar. After social mediation sister of the informant sometime used to stay at her matrimonial house. On 13.3.2012 she was killed by her in-laws including her Nanad and Nandoi and cremated.

It has been submitted by the learned counsel for the petitioner that he is innocent and he has been falsely implicated in this case. It is further submitted that the petitioner who was earlier made accused in Nauhatta P.S.Case No.26 of 2000 (Sessions Trial No.99/02) in which the deceased Kanchan Devi had deposed that she had have very good relation with her mother-in-law and father-in-law. In the said Session Trial the petitioner had been acquitted. It has further been submitted that from perusal of paras 10 and 11 of the case diary a suicidal note was found beside the deceased Kanchan Kumari and charge sheet has been submitted against the petitioner and

other co-accused under Section 306 of the Indian Penal Code. The petitioner is the father-in-law of the deceased Kanchan Devi who was daughter-in-law and after the death of the petitioner's son Sunil Kumar Jha, she was the only person who was looking after her father-in-law and mother-in-law.

Under such circumstance, let the petitioner, namely, Baidyanath Jha, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saharsa, in connection with Nauhatta P.S. Case No.24/12.

(Nilu Agrawal, J)

AnilKrSinha/-

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