

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2423 of 2015

Arising Out of PS.Case No. -74 Year- 2012 Thana -BARARI District- KATIHAR

1. Krishnanand Jha @ Krishna Jha @ Krishna Nand Jha Son of Sitaram Jha
resident of Village - Badi Bhains Dira, Police Station - Barari, District
Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. R.N.Jha(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 20-01-2015 Heard both sides.

The petitioner seeks bail in Barari P.S. Case No. 74
of 2012, registered for the offences punishable under Sections 302
and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The informant named Fuchwa @ Sanjay Yadav,
Fucho Yadav and Suraj Mahto and alleged that on hearing sound
of firing the informant went inside the house and saw three
persons fleeing away. The mother of the informant also disclosed
that on the order of Fuchwa @ Sanjay Yadav, Fucho Yadav fired
at her.

It is submitted that the petitioner is not named in the
FIR, but informant has made very specific allegation against three

accused persons named in the FIR. During course of investigation the hands of the petitioner is also suspected and on the basis of that suspicion the petitioner was arrested on 25.06.2012 and since then he is in jail. Fuchwa @ Sanjay Yadav and Fucho Yadav have already been enlarged on bail.

Having considered the facts that the petitioner is not named in the FIR, nor anything has been recovered from the possession of the petitioner and name of the petitioner figured in the case on mere suspicion that too after many days of the occurrence, although the name of the petitioner was not disclosed by the deceased and her son, who are the eye witnesses of the occurrence, the petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar in connection with Barari P.S. Case No. 74 of 2012.

(Prabhat Kumar Jha, J.)

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