

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37358 of 2014

Arising Out of PS.Case No. -7 Year- 2010 Thana -ROSERA District- SAMASTIPUR

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SHASHI BHUSHAN JHA, SON OF LATE DIWA KANT JHA,
RESIDENT OF VILLAGE-KALYANPUR, P.S.-SARAIKARANJAN,
DISTRICT-SAMASTIPUR.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance:

For the Petitioner/s : Mr. Dilip Kumar Roy, Adv.

For the Opposite Party/s : Mr. Parmanand Pd., APP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 13-04-2015

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor.

CWJC No.18512 of 2008 was filed under the guise
of public interest litigation on account of withdrawal of
compensation against damage of crops by undesired persons,
whereupon an inquiry was entrusted which was conducted by the
petitioner along with one Umesh Rai and on their report, 125
persons were detected who were noticed and out of them, 39
persons returned back the amount therefore, the criminal
prosecution was instituted against the remaining 86 persons.
However, during course of investigation petitioner including
Umesh Rai has also been arrayed as an accused.

It has been submitted by the petitioner that he
himself was an inquiring officer and in the aforesaid backgrounds

happens to be nucleus of the prosecution case, however the reason best known to the Investigating Officer, he has also been made an accused during course of investigation without any rhyme and reason other co-accused including Umesh Rai have already been granted anticipatory bail.

The learned Additional Public Prosecutor opposed the prayer and submitted that without petitioner's connivance such kind of activities would not have occurred.

Accordingly, petitioner Shashi Bhushan Jha is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each, to the satisfaction of learned Additional Chief Judicial Magistrate, Rosera, Samastipur in connection with Rosera P.S. Case No.7 of 2010 in event of his arrest / surrender within four weeks in terms of condition so laid down under Section 438(2) Cr.P.C

(Aditya Kumar Trivedi, J.)

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