

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40989 of 2014

Arising Out of PS.Case No. -421 Year- 2012 Thana -BARAUNI District- BEGUSARAI

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Suman Jha son of Surendra Jha @ Phul Jha, resident of village- Bihat Tola
Maksas Pur, P.S.- Barauni F.C.I., District- Begusarai

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Sumiran Rai, Advocate.

For the Opposite Party : Mr. Rajendra Pd. Nat(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 21-05-2015 Heard both sides.

The petitioner apprehends his arrest in Barauni (F.C.I. O.P.) P.S. Case No. 421 of 2012, registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code.

The informant suspected that Vijay Sharma, Suman Jha the petitioner and Pankaj Jha might have killed her son.

It is submitted that there is no eye witness of the occurrence. Except suspicion the investigating officer did not collect any tangible material to show the involvement of the petitioner. Similarly situated co-accused Vijay Sharma has already been enlarged on anticipatory bail vide orders passed in Cr. Misc. No. 44842 of 2013. The case of the petitioner stands on the same

footing. But the learned Sessions Judge in his order has stated that the case of the petitioner stands on different footing after referring paragraph nos. 4, 5, 9, 53 and 63 of the case diary. It is further submitted that para 4 is the place of occurrence, para 5 statement of witness of inquest is recorded, para 9 also is a witness who is hearsay, para 53 is the supervision note and para 63 of supervision note.

Considering the facts aforesaid and the fact that only suspicion is raised against the petitioner and the case of the petitioner stands on the same footing as that case of Vijay Sharma who has already been enlarged on anticipatory bail, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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, Begusarai in Barauni (F.C.I. O.P.) P.S. Case No. 421 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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