

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.390 of 2015

Arising Out of PS.Case No. -111 Year- 2013 Thana -JAGDISHPUR District- BHAGALPUR

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Sunil Jha @ Sunil Kumar Jha Son of Rama Nand Jha Resident of Village-
Shalepur,P.S-Habibpur,District-Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Ram Bachan Singh (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-05-2015 The petitioner is apprehending his arrest in connection

with Jagdishpur P.S.Case No. 111 of 2013 instituted under Section

302 of the Indian Penal Code, pending in the court of learned

C.J.M., Bhagalpur.

Heard learned counsel for the petitioner and the State.

The prosecution story, in brief, is that on having get call
from mobile phone the son of the informant went out of the
house in the night of the date of occurrence but till next date
morning when he did not return then the informant made attempt
to contact with him but no contact was made, rather on
information being given when he went to he place of occurrence,
then found his son lying in dead condition having sharp cut injury
on his neck.

It has been submitted on behalf of the petitioner that there is no evidence against the petitioner nor he was at the place of occurrence nor there is eye witness to suggest that the petitioner was seen at the place of occurrence. Further, there is no circumstantial evidence against the petitioner in the present case.

On behalf of the State it has been submitted that in course of investigation it has come that on instigation of the petitioner, the deceased was done to death.

Considering the aforesaid facts, I am not inclined to grant anticipatory bail to the petitioner. The prayer for anticipatory bail of the petitioner stands rejected.

However, if the petitioner surrenders in the court below within a period of eight weeks and seek regular bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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