

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.14897 of 2015**

Arising Out of PS.Case No. -167 Year- 2014 Thana -JAMALPUR District- MUNGER

Ashish Sinha @ Hero Sinha, Son of Anil Sinha, Resident of Village-  
Rampur, P.S.- Jamalpur, District - Munger

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dhirendra Nath Jha, Advocate

For the Opposite Party/s : Mr. R.P.S Singh (APP)

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

4 10-09-2015 Heard learned counsel for the petitioner and the  
learned counsel for the informant as well as the learned counsel  
for the State.

The petitioner is apprehending his arrest in  
connection with Jamalpur P.S. Case No.167 of 2014 for  
allegedly having committed the offence under Sections 120B,  
302 and 201/34 of the Indian Penal Code.

Case diary in the case was earlier called for, which  
has since been received.

The allegation against the petitioner is that he along  
with some of his friends had taken away the victim boy and  
thereafter his dead body was found.

Learned counsel for the petitioner submits that save



and except the fact that there used to be scuffle between the petitioner and his friends and the deceased, there is no cogent material on the record so as to implicate the petitioner. Learned counsel for the petitioner further submits that the name of the petitioner occurred only because of the alleged scuffle and also because in the case diary later on *Mama* (maternal uncle) of the deceased had reported that he had seen the petitioner along with his friends taking away the deceased after beating him up. Learned counsel has referred to paragraph 27 of the case diary where *Mama* has given the statement. The said statement has been given for the first time on 25.12.2014 whereas the date of occurrence is 15/16.11.2014. It is indeed wonder as to why *Mama* could not report the matter at the earliest, especially when the dead body of the victim boy was recovered.

Considering the aforementioned facts and circumstances and that there being no relevant materials in the case diary so as to connect the petitioner with the occurrence, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released 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, Munger,  
in connection with Jamalpur P.S. Case No.167 of 2014, subject  
to the conditions as laid down under Section 438(2) of the  
Code of Criminal Procedure.

**(Anjana Mishra, J)**

PNM

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