

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30136 of 2014

Arising Out of PS.Case No. -20 Year- 2014 Thana -GHOGHARDIHA District- MADHUBANI

Chandra Kant Jha

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Chandra Jha

For the Opposite Party/s : Mr. Ashok Kr.Singh(App)

CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

2 14-01-2015

Heard.

Let the petitioner surrender and pray for regular bail before the Magistrate who is assigned to hear the matters from Ghoghardiha P.S.Case No.20 of 2014 in the district of Madhubani.

For the guidance of the Magistrate, it is noted that prayers for bail are never to be considered merely by looking to the Section of the offence and its seriousness. A Judge of any rank has to consider the allegations individually appearing against an accused person and then to find out his complicity in the offence and that too in the light of the defence which he advanced for being considered by a Judge. The learned SDJM, Jhanjharpur(Madhubani) who shall hear the prayer for bail of the petitioner as and when he surrenders before him, shall abide by the above observations and pass an appropriate order strictly as per

the allegations and by taking into account the defence and other circumstances appearing in the life of the petitioner, like, his age, or illness or any other serious circumstance which may be pointed out to him. The Court trusts that the learned Magistrate while passing the order shall never deviate from the principles pointed out and shall pass an order in accordance with law in favour of the petitioner.

The petition stands disposed of with the above directions.

(Dharnidhar Jha, J)

B.Kr./-Kanth

U		T	
---	--	---	--