

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9179 of 2016

Arising Out of PS.Case No. -72 Year- 2014 Thana -GHANSHYAMPUR District- DARBHANGA

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Surendra Jha @ Surendra Kumar Jha Son of Late Nathuni Jha, Resident of
Village- Ghanshyampur, P.S.- Ghanshyampur, District- Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Lalit Narayan Jha, Advocate

For the Opposite Party/s : Mr. Akbar Ali(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 25-04-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 328, 302/34 and 201 of the Indian Penal
Code.

Parvati Devi the sister of the informant was married
to the petitioner 21 years ago and out of the wedlock there are two
daughters and one son and allegedly for 5-6 years the petitioner
developed illicit relation with one Renu Devi and started torturing
and assaulting Parvati Devi and ultimately killed her after
assaulting and administering poison to her.

Submission is of false implication and that the
petitioner was having cordial relation with his wife, one of the



daughter of the petitioner is married one, the wife of the petitioner due to suspicion committed suicide, during postmortem examination no external or internal injury has been found over the dead body and as such allegation of assaulting her appears not reliable. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence. Another co-accused Lalan Kumar Jha @ Lal Bihari Jha and Renu Devi have already been allowed pre-arrest bail vide Cr. Misc. No.49235 of 2014 and the petitioner is suffering in custody since 27.4.2015. The daughter of the petitioner examined during investigation has also not stated that the petitioner killed her mother and there is no eye witness of the occurrence.

In the facts and circumstances stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Session Judge-1st Class, Benipur, Darbhanga in connection with Ghanshyampur P.S. Case No.72 of 2014, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of

the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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