

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14165 of 2016

Arising Out of PS.Case No. -169 Year- 2015 Thana -ARARIA District- ARRARIA

- =====
1. Kusheshwar Jha, son of late Shyam Sunder Jha
 2. Radhakant Jha @ Chunna Jha @ Chandrakant Jha, son of late Bhajan Lal Jha

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarangdhar Jha, Advocate

For the Opposite Party/s : Mr. Sanjay Kr. Sharma (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-03-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 302 and 201/34 of the Indian Penal Code.

The prosecution case is that the dead body of the husband of the informant namely, Shashi Bhushan Mishra, was recovered when suspicion was raised against the brother of the victim namely, Kanhaiya Mishra, with whom the husband of the informant has some land dispute. It is further suspected that Kanhaiya Mishra set up the co-accused Pappu Jha and the petitioners to kill the victim.

It is submitted by learned counsel for the petitioners that only on suspicion the accusation has been levelled. No

cogent material has been collected during investigation. On conclusion of investigation, the petitioners were not sent up for trial while the others were charge-sheeted. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent. Moreover, the charge-sheeted co-accused Kanhaiya Mishra has been granted anticipatory bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No.32314/2015.

Considering the suspicious nature of accusation, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Araria in connection with Araria P.S. Case No.169/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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