

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44654 of 2016

Arising Out of Jogbani PS.Case No. -69 Year- 2015 Thana -
JOGBANI District- ARRARIA

- =====
1. Golak Nath Jha @ Golok Nath Jha @ Golake Nath Jha, son of Late Nand Kishore Jha
 2. Ahilya Devi, wife of Golok Nath Jha @ Golak Nath Jha @ Golake Nath Jha,
Both residents of Village- Bhadeshwar, Ward No.6, P.S.- Jogbani
(Bathnath), District- Araria.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarangdhar Jha

For the Opposite Party/s : Dr. Indihar Kumari

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 06-10-2016

This is an application, made under Section 439 of the Code of Criminal Procedure, seeking bail for the accused-petitioners, namely, Golak Nath Jha @ Golok Nath Jha @ Golake Nath Jha and Ahilya Devi, in connection with Jogbani Police Station Case No. 69 of 2015, under Sections 302/34 of the Indian Penal Code.

Perused the above application and materials on record.

Heard Mr. Sarangdhar Jha, learned Counsel for the petitioners, and Dr. Indihar Kumari, learned Additional Public Prosecutor, appearing on behalf of the State.

It is submitted, on behalf of the accused-petitioners,

that the co-accused, namely, Sachin Jha and Manchan Devi @ Manjan Devi have been granted anticipatory bail by the order, dated 14.12.2015, passed in Cr.Misc.No. 50101 of 2015 by a Bench of this Court.

In view of the fact that the accused above-named are parents-in-law of the deceased, have been in custody since 30.06.2016 in connection with the case aforementioned and though *charge sheet* has been submitted, trial has not yet commenced and perusal of the materials available does not reveal such incriminating materials, which would warrant further detention of the accused-petitioners in custody and in view also of the fact that the perusal of the materials does not reveal that the accused-petitioners' liberty on bail would adversely affect his trial, it is, in the interest of justice, hereby directed that the accused above-named shall be released on bail of Rs. 10,000/- with two sureties, each of the like amount, subject to the satisfaction of the learned Additional Chief Judicial Magistrate, Araria, in connection with Jogbani Police Station Case No. 69 of 2015.

This direction for bail is further subject to the condition that the accused above-named shall not, directly or indirectly, make any inducement, threat or promise to any person

acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions, this bail application shall stand disposed of.

(I.A. Ansari,CJ)

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