

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14408 of 2016

Arising Out of PS.Case No. -181 Year- 2014 Thana -BIHPUR District- BHAGALPUR

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Aman Jha, Son of Arun Jha, Resident of Village- Dayalpur, Police Station-
Bihpur (Jhandapur), District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Veena Rani Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 13-05-2016 Heard the learned counsel for the petitioner and the

learned A.P.P representing the State.

The petitioner seeks bail in connection with Bihpur
(Jhandapur) P.S. Case No. 181 of 2014 registered for the offences
punishable under Section 302/34 of the Indian Penal Code.

Allegedly, three unknown miscreants came near the
cabin, one miscreant entered into the cabin and shot Lokesh
Mishran and thereafter, the informant and others rushed there and
then four miscreants fled away. Lokesh Mishran was brought at
Mayaganj Hospital where he was declared dead.

Submission is of false implication and that the
petitioner is not named in the FIR, no witness has taken the name
of the petitioner, one co-accused Bijli Jha was apprehended and



his confessional statement was recorded wherein he named this petitioner and others and thereafter the petitioner was also arrested and his confessional statement has also been recorded and besides that there is no other material against the petitioner and on the basis of confessional statement of the petitioner, he has been implicated in the other cases also. The petitioner, without any fault, is suffering in custody since 18.01.2016. Chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P opposes the prayer of bail by submitting that the petitioner has got the criminal antecedent.

In the facts and circumstances stated above, considering the Chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such, 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 the learned Additional Chief Judicial Magistrate-II, Naugachia, Bhagalpur in connection with Bihpur (Jhandapur) P.S. Case No. 181 of 2014, subject to the conditions that one of the bailors must be a 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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