

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.12155 of 2017**

Arising Out of PS.Case No. -79 Year- 2015 Thana -BAJPATTI District- SITAMARHI

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1. Lalit Chaudhary @ Lalit Kumar Choudhary, son of Mithilesh Chaudhary,  
R/o Nagwas, P.S.- Arer, District- Madhubani. .... Petitioner/s  
Versus

1. The State of Bihar. .... Opposite Party/s  
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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1  
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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR  
JHA**

**ORAL ORDER**

3      11-04-2017                      Heard both sides.

The petitioner seeks bail in Bajpatti P.S. case No. 79  
of 2015 under Section 302, 120B/34 of the Indian Penal Code.

Chandrika Prasad Singh, father of the deceased,  
alleged that Jai Prakash disclosed him that Kishan Kumar stabbed  
his son, Monu, in a garden situated behind the school. The  
informant further disclosed that Krishna Kumar, Navin Jha, Arun  
Jha, Lallan Jha, Bittu Kumar, Sonu Kumar Jha, Pappu Kumar and  
Akhilesh Kumar have conspired and killed his son due to land  
dispute.

The learned counsel for the petitioner submits that  
save and except Jail Prakash there is no eye witness of the  
occurrence. Jai Prakash made very specific allegation that it was  
Kishan Kumar who stabbed Monu, son of the informant, but, later  
on, during the course of investigation, the informant himself filed



a petition before the Superintendent of Police and suspected hands of the petitioner, who happens to be brother-in-law of Jai Prakash, that the petitioner also killed his son. Thereafter, another son of the informant and other witnesses suspected the hands of the petitioner in the killing of son of the informant.

The learned Additional Public Prosecutor as well as the learned counsel for the informant, vehemently, opposed the prayer for bail but, at the same time, could not be able to show any tangible material against the petitioner.

It appears that during the course of investigation name of the petitioner surfaced only because he happens to be brother-in-law of Jai Prakash and the deceased is alleged to have illicit relation with sister-in-law of the petitioner.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in Bajpatti P.S. Case No. 79 of 2015.

**(Prabhat Kumar Jha, J)**

BKS/-

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