

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5655 of 2017

Arising Out of PS.Case No. -239 Year- 2016 Thana -BARGANIA District- SITAMARHI

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Dharmendra Kumar Jha @ Dharmendra Jha Son of Laxmi Narain Jha,
Resident of Village-Dumarwana, P.S.-Bairganiya, District-Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. G.S. Verma, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-04-2017 Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Bairgania P.S. Case No. 239 of 2016 registered for the offences punishable under Sections 302 and 120B/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that from the FIR it appears that the case has been filed in relation to murder of son of the informant and it is alleged that he had love affairs with the daughter of co-accused Amrendra Jha and that was not liked by the co-accused and, such, they have committed murder of the deceased. However, it has been submitted that there is no iota of evidence against the petitioner and he is neither Amrendra Jha nor Shailendra Jha but he is co-villager and he is nothing to do with the case.

Heard learned APP also, who has opposed the prayer for anticipatory bail stating that there is material in the case diary



against the petitioner.

Heard both sides and considering the facts and circumstances, as stated above, let the petitioner, named above, in the event of his arrest or surrender in the court within a period of two weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi, in connection with Bairgania P.S. Case No. 239 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that petitioner shall co-operate in the investigation and make himself available before the police as and when required and in the event of failure on his part to appear before the police on two consecutive dates, the prosecution shall be free to move for cancellation of his bail bonds and further petitioner will not induce any witness or tamper with the evidence.

(Vinod Kumar Sinha, J)

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