

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5403 of 2017

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

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Bhagwan Jha @ Sri Bhagwan Jha, Son of Laxmi Narain Jha, resident of
Village- Dumarwana, P.S.- Bairganiya, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra, Advocate.

For the Opposite Party/s : Smt. Anusuiya Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 3 30-03-2017 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends his arrest in Bairgania P.S.
- Case No. 239 of 2016 instituted for the offence under Sections
302, 120(B) and 34 of the Indian Penal Code.
- It is alleged that while son of the informant was
returning from Chhat Ghat to his house for taking Agarbatti, the
petitioner along with other accused persons as named in the *Fard-
beyan* confined him and committed his murder by pressing his
neck and threw the dead body in Baswari. It is further alleged that
reason for murder is that Neha Kumari, daughter of Amrendra Jha
and Ankita Kumari, daughter of Shailendra Jha, used to go to
coaching centre of son of the informant. Both the girls used to
have telephonic talk with the son of the informant (since
deceased). The accused persons in retaliation, have committed
murder of son of the informant.



Case diary has been received.

The sister of the deceased Rupa Kumari in her statement made in paragraph-12 of the case diary has stated that on the date of occurrence while her brother was returning from Chhat Ghat to his house to bring Agarbatti, the petitioner along with other accused persons took him in the house forcibly and committed his murder by strangulation and threw the dead body in Basbari. Similar statement has been made by Gita Devi in paragraph-11 of the case diary. The post mortem report of the deceased is in paragraph-33 of the case diary wherein doctor has opined his death caused by strangulation by rope like substance.

Considering the facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner.

The prayer for anticipatory bail of the petitioner stands rejected.

The petitioner is directed to surrender before the court below and pray for regular bail.

S.Ali/-

(Sanjay Priya, J)

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