

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6622 of 2017

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

- =====
1. Kanhaiya Kumar Jha @ Kanhaiya Kumar @ Kanhai Jha, Son of Nagendra Jha.
 2. Sanjeev Kumar Jha @ Sanjiv Jha, Son of Late Mahendra Jha.
- Both are Resident of Village- Dumkhana, Police Station- Bairganiya, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.
For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 09-08-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bairgania P.S. Case No.239 of 2016 registered under Sections 302 and 120(B)/34 of the Indian Penal Code.

The accusation is that on 07.11.2016, Lalbabu Sah alias Lalu, the son of the informant Fekan Sah, moved from his house for Chhath Ghat. In the way, nine persons, named in the F.I.R., including the petitioners killed him by pressing his neck and threw his dead body in a bamboo clamp. The cause of occurrence is that Neha Kumari, daughter of Amrendra Jha, and Anikta Kumari, the daughter of Shailendra Jha, used to go to the Coaching of the son of the informant and both used to



talk with him on phone.

Learned counsel appearing on behalf of the petitioners submits that it would appear from the F.I.R. that the informant is not an eye witness to the occurrence and he has only raised suspicion against the petitioners and others in committing the murder of his son. Further submission is that the similarly situated co-accused Dharmendra Kumar Jha alias Dharmendra Jha has already been granted anticipatory bail by a Bench of this Court vide order dated 11.04.2017 passed in Criminal Misc. No.5655 of 2017.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each 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 laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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