

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29630 of 2017

Arising Out of PS.Case No. -144 Year- 2016 Thana -TATARPUR District- BHAGALPUR

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1. Subodh Kumar Jha Son of Late Nageshwar Jha, Resident of Village-Madhurapur, P.S. Bihpur (Bhawanipur), District-Bhagalpur. At Present-R/o Mohalla-T.N.B. College Campus, P.S. University, District-Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Pratap Singh

For the Opposite Party/s : Mr. Bharat Bhushan

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 07-08-2017 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is languishing in custody since 14.10.2016 in connection with Sessions Trial No. 137/2017, arising out of Tatarpur (University) P.S. Case No. 144/2016 for offences punishable under Sections 302/436 of the Indian Penal Code.

The prosecution case, as lodged by the informant police official, is that on a telephonic message they went to the place of occurrence and found the house of the petitioner on fire, which was locked from outside and inside his wife and two daughters were present, who were burnt to death.

It has been submitted by the learned counsel for the



petitioner that he is innocent and the allegation is upon the petitioner, who is the husband and father of the deceased wife and children respectively. He submits that he has been made accused only on the basis of suspicion, rather some other persons, namely, Sunil Goswami, Sunita Devi and others were on inimical terms and have locked the door from outside and caused fire. He further submits that the petitioner did not allow any body to enter/ break the door as the house has three cylinders, which the Principal has also stated in his statement. It is submitted that charge-sheet has already been submitted, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, 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 learned Addl. Sessions Judge V, Bhagalpur, in connection with Sessions Trial No. 137/2017, arising out of Tatarpur (University) P.S. Case No. 144/2016, subject to the condition that the petitioner will appear before the learned court below during trial as and when



required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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