

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42695 of 2017

Arising Out of PS.Case No. -169 Year- 2017 Thana -BAHADURPUR District- DARBHANGA

=====

1. Raushan Kumar Jha Son of Ram Babu Jha, Resident of Village-
Balbhadrapur, P.S.- Laheriasarai, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha

For the Opposite Party/s : Mr. Sri Anil Prasad Singh

=====

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

3 09-11-2017 Heard both sides.

The petitioner apprehends his arrest in Bahadurpur
P.S. case No. 169 of 2017 for the offences punishable under
Section 302, 120B/34 of the Indian Penal Code.

The informant, father of the deceased, alleged that
Raushan Kuamr Jha, the petitioner, Raghav Rai, Vikash Jha,
Muchkund Jha and Amit Mishra took his son, Murari Jha, on the
pretext of taking feast and killed his son. In the morning, Varsha
Kumari, sister-in-law of Vikash Jha, informed that Murari Jha
picked up quarrel somewhere and requested the informant to talk
with Vikash Jha. Vikash Jha also telephoned the informant on his
mobile and disclosed that his son was injured.

The learned counsel for the petitioner submits that



petitioner is friend of Murari Jha, the deceased. There is no eye witness of the occurrence. While Murari Jha was participating in the reception ceremony at the house of Dr. Sanjay Mishra, he picked up quarrel but the matter was pacified. It is further submitted that Murari Jha again came and some assault took place between the Murari Jha at one side and Dr. Sanjay Mishra and his friends on the other side in which Murari Jha sustained injuries. The petitioner took him to DMCH, Darbhanga and while he was taking Murari Jha to PMCH, Patna for better treatment, Murari Jha succumbed to the injuries. The accused persons, whose names figured in the case, during the course of investigation, have already been granted anticipatory bail by the learned court below but on perusal of the records, it appears that informant has alleged that in pursuance of some conspiracy to kill his son, the petitioner and four others took his son to take feast and his son got injuries. During the course of investigation different versions surfaced but the petitioner and others are best persons to say as to how the deceased got injuries as the deceased was in the company of petitioner and others, who took him from his house on the pretext of participating in a reception ceremony. Murari Jha got different injuries on his head and on account of which he died.

Considering the facts aforesaid, I am not inclined to



enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

If the petitioner surrenders in the court below, the learned court below shall consider the prayer for regular bail of the petitioner on its own merit without being prejudiced from the order of this court.

(Prabhat Kumar Jha, J)

BKS/-

U		T	
---	--	---	--

