

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53457 of 2017

Arising Out of PS.Case No. -51 Year- 2010 Thana -SITAMARHI District- SITAMARHI

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Raju Jha @ Raju Kumar Jha son of Devendra Jha, resident of village –
Koari, PS-Majorganj, District-Sitamarhi. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Smt. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 13-11-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends arrest in connection with
Sitamarhi Police Station Case No. 51 of 2010 registered for the
offences punishable under sections 328 and 302/34 of the Indian
Penal Code.

The deceased was a young student staying as a tenant
in the house of co-accused Jataha Sah. He was found dead by
consuming poison. It is alleged by the informant, who is father of
the deceased, that he has suspicion that it was the petitioner, who
had poisoned his son. The Police, after investigation, did not find
any material to justify the accusation, but the Magistrate
nevertheless differing with the Police report, has taken cognizance
for the offences as aforementioned against the petitioner. It further
appears that co-accuseds Jatahu Sah and Sujay Kumar having
similar allegation, have been allowed anticipatory bail by one of



the coordinate Bench of this Court on 20.02.2015 in Criminal Miscellaneous Nos. 35315 and 37607 of 2014. The case of the petitioner stands on similar footing and so he also deserves anticipatory bail.

Considering the facts and circumstances of the case, the prayer of anticipatory bail is allowed and the above named petitioner, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi Police Station Case No. 51 of 2010, subject to the condition as laid down under section 438 (2) of the Criminal Procedure Code.

(Sanjay Kumar, J)

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