

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5726 of 2017

Arising Out of PS.Case No. -194 Year- 2016 Thana -SULTANGANJ District- BHAGALPUR

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Shankar Jha @ Pandit Ji, Son of late Chamaklall Jha, Resident of Village-
Tilakpur, P.S.-Sultanganj, Dist.-Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar

For the Opposite Party/s : Mr. Sri Binod Kumar 2

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 27-03-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner is languishing in custody for the offences
punishable under Section 302/34 of the Indian Penal Code and
Section 27 of the Arms Act.

According to FIR, Numa Devi, the younger sister of
the informant, telephonically conveyed to the informant that other
brothers and their wives named in the FIR including the petitioner
committed murder of Harinandan Jha by causing fire arm injury.
Harihandan Jha is also brother of the petitioner.

Learned counsel for the petitioner submits that there
is no eye witness to the occurrence including Numa Devi, which
would be evident from her statement in paragraph 27 of the case



diary. Since there is property dispute in the family, false allegation is there.

Learned Addl. P.P. also does not dispute that there is no eye witness to the occurrence as per the case diary.

Considering the aforesaid facts, 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 Additional Chief Judicial Magistrate, Bhagalpur/Successor Court, in connection with Sultanganj P.S. Case No.194 of 2016, with condition that petitioner shall fully cooperate with the investigation and trial of the case, failing which the Court-below shall be at liberty to take steps for cancellation of the bail-bonds of the petitioner in this case.

(Birendra Kumar, J)

Arvind/-

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