

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.4831 of 2018**

Arising Out of PS.Case No. -35 Year- 2017 Thana -BHEJA District- MADHUBANI

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Pramod Jha, Son of Late Bikal Jha @ Bkkal Jha, resident of Village & P.O.  
Madhepur, Police Station - Madhepur, District- Madhubani.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance:**

For the Petitioner/s : Mr. Prafull Chandra Jha, Advocate.

For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

ORAL ORDER

2      02-02-2018                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

The petitioner is seeking regular bail in Bheja P.S.  
Case No. 35 of 2017 (G.R. No. 971 of 2017) registered for the  
offence under Sections 302/201 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that from  
perusal of the Fardebayan of Deo Narayan Mandal, who is brother  
of the deceased, it would appear that the entire allegation against  
this petitioner is based on suspicion and surmises. The dead-body  
of the deceased was recovered from a lonely place, there is no eye-  
witness to the alleged occurrence and the allegation that there was  
a land dispute between the family of this petitioner or the co-  
accused and the family of the informant stands falsified which



may be evident from Annexure-2 series. He has pointed out from the copy of the sale deed dated 04.11.2016 executed by this petitioner in favour of Ruby Devi, wife of the co-accused, that in the said sale-deed the deceased Binod Mandal is one of the witnesses. In the same sale-deed, the informant is also a witness. There is no dispute with regard to this.

Learned counsel further submits that a co-ordinate bench of this Court, having considered the entire materials, granted regular bail to the co-accused Baidyanath Thakur vide order dated 21.09.2017 passed in Cr. Misc. No. 36611/2017, a copy of which is placed as Annexure-4. This petitioner has got one case under the Excise Act in which he has got bail.

Learned counsel for the State is present and fairly accepts the position that there is no difference in the case of this petitioner and that of the co-accused Baidyanath Thakur, who has been granted the privilege of bail by a co-ordinate bench of this Court.

In the facts and circumstances, let the petitioner, named above, be enlarged on bail on his furnishing bail bonds of Rs. 15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Jhanjharpur (Madhubani) in connection with



Bheja P.S. Case No. 35 of 2017 (G.R. No. 971 of 2017), subject to  
the conditions as laid down under Section 437(3) Cr.P.C.

**(Rajeev Ranjan Prasad, J)**

Dilip, AR

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