

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36621 of 2018

Arising Out of PS. Case No.-329 Year-2017 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. Sandeep Kumar Jha @ Sandeep Kumar, Son of Sita Ram Jha
2. Sita Ram Jha, Son of Late Bhola Jha,
Both residents of Village- Harpur, Mahmada, Police
Station- Pusa, District- Samastipur.

... .. Petitioners

Versus

1. The State of Bihar.
2. Ram Vaidehi Jha, Son of Late Ram Lakhan Jha, resident of Village- Madapur
Chapra, Police Station- Pusa, District- Samastipur.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Hira Jha, Advocate
For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 29-06-2018 Heard learned counsel for the petitioners and
learned counsel for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Complaint Case No.329 of 2017,
registered for the offence punishable under Sections 328, 302
and 120B of the Indian Penal Code.

The son of the complainant has died, led to
institution of police case vide Pusa P.S. Case No.104 of 2015, in



which the police has submitted the Final Form, did not find any evidence reflecting the involvement of the petitioners in administering the poison to the son of the informant. Whereafter, the protest petition was filed and on the basis of the statement recorded during the inquiry, the Court below took cognizance. However, the record shows that the informant of his own cremated the dead body of his son without giving any information to the police nor took him to the hospital for treatment and after long lapse of time, the case was instituted and the police has found no material against the petitioner.

Looking to the aforesaid facts and circumstances of the case, let the above named petitioners, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the A.C.J.M.-VI, Samastipur, in connection with Complaint Case No.329 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioners for the purposes of investigation and interrogation, they will remain present for the investigation. In



the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

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