

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61552 of 2018

Arising Out of PS. Case No.-131 Year-2013 Thana- KUDHNI District- Muzaffarpur

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Ajay Jha, S/o Lal Babu Jha, R/o Vill.:- Rajala, P.S.- Kurhani (Fakuli O.P.),
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Alias Sanidh

For the Opposite Party/s : Mr. Sri Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with Kudhani P.S.Case No.131 of 2013 registered for offences punishable under Sections 364/34 of the Indian Penal Code.

Allegation against the petitioner as per FIR is that the daughter of the informant was married with one Uday Jha and the they were demanding chain and the ring and when he refused they threatened to kill her and on 19.5.2013 at about 11.30 a.m. her son –in-law informed that his daughter is traceless and he believed his daughter has been killed by the petitioner and other accused persons in conspiracy. It further appears from the impugned order that later on the girl was recovered and her statement under Section 164 Cr.P.C. has been recorded in which she stated that the petitioner (husband) and



other accused persons had taken her to Barauni in order to kill her but seeing the police party, she succeeded in fleeing away and she went to Gauhati and after some time she returned and she came to know about this case which has already been lodged.

Submission of the learned counsel for the petitioner is that the petitioner has falsely been implicated in this case which will appears from the fact that seeing the police party she fled away but never stated all these facts before the police party and moreover the petitioner is the *Baisur* and he is not directed related. He is in custody and now the charge sheet has also been submitted.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM (West) at Muzaffarpur in connection with Kudhani P.S.Case No.131 of 2013.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property



- within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
 - (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is
allowed.

(Vinod Kumar Sinha, J)

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