

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57570 of 2017

Arising Out of PS.Case No. -66 Year- 2017 Thana -MADHEPUR District- MADHUBANI

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1. Kameshwar Jha S/o Late Sagun Lal Jha, R/o Village- Bhit Bhagwanpur,
P.S.- Madhepur, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Advocate

For the Opposite Party/s : Mr. Bisheshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-01-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody in connection with
Madhepur P.S. Case No. 66 of 2017, a case under Sections
302/201/34 of the Indian Penal Code.

Petitioner is aged about 76 years which would be
evident from the school certificate produced by filing
supplementary affidavit. Mantor Devi, the sister of the informant,
was married with Pradip Jha son of this petitioner.

Allegation is that since Manotar Devi has no issue,
in absence of her husband the petitioner and other family members
bitterly assaulted as a result whereof she died.

Submission of the learned counsel for the
petitioner is that the petitioner was arrested on 26.08.2017 in this



case from his house and on 28.08.2017 the informant of this case came and committed murder of the wife of the petitioner for which Pradip Jha lodged Madhepur P.S. Case No.75 of 2017 against the informant of this case. In fact, the relations of the informant of this case of the P.O. have supported the allegation of commission of death of the victim by severe assault.

Learned counsel for the informant opposed the prayer on the ground that eyewitness has also supported the allegation of assault as a result where of the victim died.

Considering the entire facts and circumstances, in my view, the petitioner deserve bail, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Madhepur P.S. Case No. 66 of 2017, with condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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