

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3547 of 2018

Arising Out of PS.Case No. -5 Year- 2017 Thana -KUNALI District- SUPAUL

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Mukesh Kumar Jha, Son of Mahanand Jha, Resident of Sikarhatta, P.S.-
Kunouli, District- Supaul

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Sri Kalyan Shankar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

This is the second round of litigation. Earlier prayer
for bail of the petitioner was rejected vide order dated
17.08.2017 passed in Cr. Misc. No. 31964 of 2017.

Petitioner is languishing in judicial custody since
03.05.2017 in connection with Kunouli P.S. Case No. 05 of
2017 for offences punishable under Sections 302, 34 of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while in the morning she went to wake up her husband
she found him lying in a pool of blood, who had succumbed
to the injury.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history, not named in the F.I.R. and only because of property dispute, the petitioner has been made accused as an afterthought. He submits that both are neighbors and because of dispute of Rasta there was quarrel between them for which the petitioner has falsely been made accused.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, I am not inclined to grant privilege of bail to the petitioner at this stage in connection with Kunouli P.S. Case No. 05 of 2017 pending in the court of learned Judicial Magistrate, Birpur (Supaul).

The application is, accordingly, rejected. However, the petitioner may renew his prayer for bail after framing of charge.

(Nilu Agrawal, J)

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