

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25503 of 2018

Arising Out of PS.Case No. -216 Year- 2017 Thana -BATHNAHA District- SITAMARHI

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1. Bihari Jha, S/o Yugeshwar Jha,
 2. Guddu Jha S/o Bihari Jha,
 3. Gulshan Kumar S/o Pawan Jha (wrongly described in the FIR as Son of Guddu Jha), All R/o Vill.- Bhagwanpur, P.S.- Bathnaha, District-Sitamarhi.

.... Petitioners/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners/s : Mr. Ashhar Mustafa, Advocate

For the Opposite Party/s : Ms. Smt. Anusuiya Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 30-04-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are languishing in custody for the offences punishable under Sections 307, 436/34 of the Indian Penal Code. Subsequently, offence under Section 302 of the Indian Penal Code was added.

Wife of the informant had eloped with co-accused Pawan Jha. For that grudge the petitioners, who are son, brother and father of Pawan Jha, allegedly came in the night and threw a petrol bomb in the house of the informant as a result whereof the house burnt and child sleeping sustained burn injury and succumbed to the injury.

Learned Counsel for the petitioners submits that in



fact the informant is not an eyewitness of the occurrence. The impugned order would reveal that the allegation is based on circumstantial evidence and there is reason for false implication of the petitioners due to some act allegedly committed by Pawan Jha.

Considering the aforesaid fact, let the petitioners, 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 Bathnaha P.S. Case No. 216 of 2017, with condition that the petitioners 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 petitioners.

(Birendra Kumar, J)

Mkr./Sanjeev

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