

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14928 of 2018
Arising Out of PS.Case No. -29 Year- 2017 Thana -
SHIWAPATHI District- MUZAFFARPUR

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Chandan Jha @ Chandan Kumar @ Chandan Kumar Jha,
Son of Late Sundarkant Jha, resident of Village- Dharampur,
P.S. Siwaipatti, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur

For the Opposite Party/s : Mr. Sri Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 25-04-2018 The petitioner seeks bail in connection with
Shiwaipatti P.S. Case No. 29 of 2017 dated 03.04.2017
instituted for the offences under Sections 302, 201/34 of
the Indian Penal Code.

A dead body was found lying in the field of one Lalan
Kumar. It later transpired that the dead body was of Md.
Meraj, a tempo driver who had been earning his livelihood
by running a tempo. During the course of investigation, the
petitioner is said to have been arrested who disclosed his



complicity in the crime along with other accused persons viz. Alok Kumar @ Golu Jha and Vikash Kumar Jha @ Vikash Kumar Ojha.

The learned counsel for the petitioner has submitted that aforesaid Alok Kumar @ Golu Jha and Vikash Kumar Jha @ Vikash Kumar Ojha have been granted bail by this Court vide orders dated 01.12.2017 and 11.01.2018 passed in Cr. Misc. No. 45686 of 2017 and Cr. Misc. No. 59259 of 2017 respectively.

The petitioner is also said to have confessed his guilt and from his possession, a mobile telephone which was used by the deceased was found. Merely because a mobile telephone of the deceased was found from the possession of the petitioner, that by itself would not be a ground for keeping the petitioner in continued incarceration. The confession of an accused, it has been argued, is no material in the eyes of law.

The petitioner is in custody since 27.04.2017 and does not bear any criminal antecedent.

For the facts stated above as also taking into account the period of custody, the petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with sureties of the like amount each to the satisfaction of learned 8th Additional Sessions



Judge, Muzaffarpur in connection with Sessions Trial No. 482 of 2017, arising out of Siwaipatti P.S. Case No. 29 of 2017.

(Ashutosh Kumar, J)

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