

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17809 of 2018

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

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1. Ajeet Jha @ Chhotka S/o Kameshwar Jha Resident of Village- Ward No. 4, 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

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-04-2018 The petitioner is apprehending his arrest in connection with Madhepur P.S. Case No. 66/2017, registered for offences punishable under Sections 302, 201 and 34 of the Indian Penal Code.

Petitioner is brother in law of the deceased and allegation against him and other is of causing death of the deceased.

It has been submitted on behalf of the petitioner that there is no eye witness of the occurrence and only general and omnibus allegation has been levelled against the petitioner. It has further been submitted that in para 5, 6 and 7 of the case diary it has come that witnesses claimed themselves to be eye witness, however, they are related to the informant. Moreover, other co-accused , namely, Kameshwar Jha and Amira Devi @ Barki Buchi has



already been granted the privilege of anticipatory bail by a coordinate Benches of this Court vide order dated 09.01.2018 passed in Cr. Misc. No. 57570 of 2017 and vide order dated 10.04.2018, passed in Cr. Misc. No. 12811 of 2018.

Learned counsel for the State as well as learned counsel for the informant opposed the prayer for bail and submitted that in this case husband of the deceased is not an accused rather it is the in laws, who assaulted the deceased causing her death.

Having heard both sides, considering the facts and circumstances of the case and also the fact that other co-accused persons having similar allegation has already been granted the privilege of anticipatory bail by a coordinate Benches of this Court, as such, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-1st, Jhanjharpur, Madhubani. in connection with Madhepur, P.S. Case No. 66/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (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 shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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