

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17012 of 2018

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

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Mahesh Jha Son of Late Kashinath Jha, resident of village - Sikarhatta, P.S.-
Kunauli, District - Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kr. Thakur, Adv.
Mr. Sheshank Shekhar, Adv.

For the Opposite Party/s : Sri Anand Mohan Prasad Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 04-05-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends arrest in connection with
Kunauli P.S. Case No. 05/2017 registered for the offences
punishable under sections 302/34 of the Indian Penal Code.

As per FIR, some unknown persons committed
murder of the husband of the informant when he was sleeping
alone at his Varamda.

The learned for the petitioner submits that there is
absolutely no material against the petitioner. The FIR has been
registered against unknown. Both the parties are resident of same
place. The petitioner has no antecedent so he deserves
anticipatory bail.



The learned Additional Public Prosecutor on the other hand, opposed the prayer by submitting that there are strong circumstances against the petitioner showing his complicity in commission of murder of deceased and so he does not deserve bail.

On perusal of case diary it appears that the petitioner and his family member are at litigating terms since last 6-7 years. The husband of the informant had dispute with this petitioner and his family members for the passage/road. The witnesses have stated that on several occasions this petitioner and others had threatened the deceased for dire consequences. The evidence of witnesses has been recorded at paragraphs 8, 9 and 10 of the case diary. The case is still under investigation.

Considering the materials came in the case diary against this petitioner, I am not inclined to grant privilege of anticipatory bail to him. This application is accordingly dismissed.

(Sanjay Kumar, J)

Mahesh/-

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