

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9481 of 2018

Arising Out of PS.Case No. -307 Year- 2016 Thana -BEGUSARAI TOWN District- BEGUSARAI

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1. Raju Jha, Son of Ashok Jha @ Ashok Kumar Mishra, Resident of
village- Vishnupur, P.S.- Town, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Thakur, Advocate
Mr. Nilesh Kumar, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody in connection with
Begusarai (Town) P.S. Case No.307 of 2016, a case under
Sections 302/120B/34 of the Indian Penal Code.

The prosecution story, in brief, is that the necks of
the informant's elder brother, Bhabhi and nephew have been cut
by sharp cutting weapon by the miscreants and there were also
injuries on their bodies. It is further alleged that co-accused Gopal
Mandal, Pappu Singh, Murari Singh and this petitioner had
visited his house and had threatened to his brother that he is
taking the land situated by the side of Litchi Plant and do not
intervene into the matter. His brother along with his partners,



Visho Sharma, Gopal Mandal has purchased the land of Shankar Mahto beside the Litchi Plant in which both have 50% shares. Visho Sharma died earlier. Thereafter, dispute was going on between his brother and Gopal Mandal. Gopal Mandal, Pappu Singh, this petitioner and Murari Singh and some unknown persons have given threatening to his brother for the dispute of land. It is suspected that the aforesaid persons have killed his brother, Bhabhi and nephew.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 22.11.2017 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. He has been named in the FIR merely on the basis of suspicion. There is no substantive evidence to suggest his implication in the present case. The other co-accused have been granted bail by different Benches of this Court vide Cr. Misc. No. 45629/2016 and Cr. Misc. No.50943 of 2016.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid fact, let the petitioner, 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 the aforesaid case, with condition that the petitioner 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 petitioner.

(Birendra Kumar, J)

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