

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8439 of 2019

Arising Out of PS. Case No.-44 Year-2018 Thana- BASOPATTI District- Madhubani

AJEET JHA @ AJEET KUMAR JHA, S/o Hemchandra Jha Resident of
Village - Chhatauni, P.S.- Basopatti, Dist. Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vikramdeo Singh, Advocate Mr. Sanjay Kumar, Advocate Mr. Bhavesh Kumar Sah, Advocate
For the informant	:	Mr. Rajesh Ranjan, Advocate Mr. Shakti Suman Kumar, Advocate
For the Opposite Party/s	:	Mr. Pushpa Sinha-1, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 27-09-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Basopatti P.S. Case no. 44 of 2018, registered under
Section 302/34 of the Indian Penal Code.

The accusation is that Mahakant Pratihast, father of
informant Vibhuti Kumar Pratihast moved from house at about
9.00 P.M. on 05.03.2018 for Dalan to sleep there. On the next
morning, when maid reached at Dalan then she found
Mahakant Pratihast lying near the grill of the gate and blood
was also spread there. Thereafter, brother of the informant
reached there and saw his father in injured condition. The
informant raised suspicion that his father has been killed by



unknown miscreants by sharp cutting weapon.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that on the basis of fardbeyan of informant Vibhuti Kumar Pratihast, Basopatti P.S. Case No. 44 of 2018 was instituted against unknown under Section 302/34 of the I.P.C. In course of investigation, it has come in paragraph 42 of that case diary that the deceased was doing the business of money lending and in paragraphs 59, 63 and 64, the spy raised suspicion about having hand in the murder of father of informant by Vinod Yadav, Ajit Jha (petitioner) and Sumitra Devi. The Chowkidar of the village also raised suspicion having hand of petitioner, Vinod Yadav and Sumitra Devi in the murder of the father of the informant. Later on, family members of the informant also disclosed regarding having hand of Sumitra Devi, Vinod Yadav and petitioner in the murder of deceased. Later on, co-accused Vinod Yadav was apprehended and his confessional statement was also recorded as detailed in paragraph 119 of the case in which he stated that this petitioner gave Dabiya blow at the head of deceased, except, that nothing has been collected by the I.O of this case. Further submission is that co-accused Sumitra Devi has already been granted privilege of pre-arrest bail by a co-ordinate Bench of this Court



on 28.09.2019 vide Criminal Miscellaneous No. 51164 of 2018. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M-V, Madhubani in connection with Basopatti P.S. Case No. 44 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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