

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1157 of 2019

Arising Out of PS. Case No.-423 Year-2018 Thana- DARBHANGA SADAR District-
Darbhanga

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Gitendra Jha @ Pintu Jha Son of Late Shambhu Nath Jha, resident of Village
– Bathai, P.S.- Manigachi, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Babita Kumari

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 18-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Sadar P.S. Case No. 423 of
2018 registered for the offence punishable under Sections 302,
201, 120-B/34 of the Indian Penal Code.

Informant who is the daughter-in-law of the deceased
has stated that on 20.10.2018 at about 8:00 P.M. all FIR named
accused came to her house and threatened her father-in-law to
withdraw a pending case otherwise he will be killed and
thereafter took him from his house and since then he was
traceless and later on his dead body was found near Sahra
Mohanpur Bridge.

It has been submitted on behalf of the petitioner that he



is innocent and has been falsely implicated in this case only on admitted land dispute. Alleged occurrence is of 20.10.2018 but FIR was instituted on 24.10.2018 after recovery of dead body. It has further been submitted that petitioner was at Mumbai at the relevant time and he has nothing to do with alleged occurrence. Except suspicion, there is no any other incriminating material against petitioner. He is in custody since 09.11.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga at Laheriasarai, in connection with Sadar P.S. Case No. 423 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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