

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80284 of 2018**

Arising Out of PS. Case No.-178 Year-2016 Thana- WARISNAGAR District- Samastipur

Suraj Kumar Jha @ Suraj Kumar, son of Indra Kant Jha, Resident of Village-  
Harinagar, P.S. - Kusheswar Ashthan Distt.- Darbhanga.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr.Raja Ram Mishra, Advocate.  
For the Opposite Party : Mr. Kalyan Shankar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      09-04-2019                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner is languishing in custody since 20.12.2017 in a case for the offence registered under Sections 302 and 307/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that while the informant's wife, daughter-in-law and the co-brother were coming back home after distributing *Prasad* in the neighbourhood on the occasion of the engagement ceremony of his son, some unknown persons fired at them, leading to injuries to his wife and daughter-in-law, both of whom later succumbed to such injuries. The daughter of his co-brother remained unhurt.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the



present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come in the present case on the basis of confessional statement of co-accused. Except for this, there is no substantive evidence to suggest the implication of the petitioner in the present case. There is no eye witness to the alleged occurrence.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-II, Samastipur, in connection with Warisnagar Mathurapur O.P. P.S. Case No. 178 of 2016.

**(Sudhir Singh, J)**

U.K./-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

