

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46527 of 2019

Arising Out of PS. Case No.-253 Year-2018 Thana- SIWAN MUFFASIL District- Siwan

JITENDRA KUMAR @ JITENDRA YADAV Son of Ramnath Prasad @
Munna Yadav Resident of Village - Tarwa, P.S.- Siwan Muffasil, District-
Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan

For the Opposite Party/s : Mr. Muneshwar Dyal

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

5 22-10-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 302/34 of the Indian Penal Code.

Guddu Nut and Babloo Nut took the brother of the informant Raja Kumar from his house and committed his murder and dumped the dead body on the road side. One Manisha Khatoon told that during course of strolling on the road, petitioner along with other three miscreants on two motorcycle dashed her, resultantly she fell down on the ground and saw the dead body on the road side. Whereupon the aforesaid accused persons warned her not to disclose the occurrence to anyone stating that they have themselves



committed the murder.

It is submitted by learned counsel for the petitioner that he has no concern with the aforesaid occurrence. He was not seen with the deceased prior to the occurrence. No motive behind the occurrence is attributed to the petitioner. He has been falsely implicated in the case due to suspicion. As a matter of fact, deceased has died in the road accident and independent witnesses in the case diary have supported the death of the deceased in the road accident. The I.O. has also seized the broken pieces of plastics at the place of occurrence. There is no eyewitness of the occurrence. Albeit Manisha Khatoon has divulged the commission of murder by the petitioner and other accused persons but she happens to be sister of co-accused Babloo Nut, who has taken the deceased with him and in order to save his brother, she has falsely implicated the petitioner in the case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has no criminal antecedent.

Learned APP for the State opposed the bail petition.

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 six 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 learned C.J.M., Siwan in connection with Siwan Muffasil P.S. Case No. 253 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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