

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51577 of 2019

Arising Out of PS. Case No.-29 Year-2018 Thana- ASARGANJ District- Munger

GUDDU JHA @ AJAY JHA, aged about 42 years, Male, Son of Baikunth Jha, Resident of Village - Shyampur, P.S.- Bath, Distt - Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Choudhary

For the Opposite Party/s : Mr. Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 30-09-2019

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 302, 201, 120B/34 of the Indian Penal Code.

Informant has alleged that his brother had gone to see Mela on 03.04.2018 at 8 p.m. along with Jitua @ Boro and in Mela his brother Gaurav Kumar was seen in company of Jitua and Golden Miyan but since thereafter he did not return and his dead body was found next day.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It has further been submitted that name of the petitioner has surfaced in this case on the confessional statement made by the co-accused Sachiudanand Upadhyay @ Pinku and except said confessional statement, there is no any other incriminating



material against the petitioner. Petitioner is in custody since 07.06.2019.

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 court below where the case is pending in connection with Asarganj P.S. Case No. 29/2018, G.R. No.890/2018 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/-

U		T	
---	--	---	--

