

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23160 of 2020**

Arising Out of PS. Case No.-410 Year-2019 Thana- BAHADURPUR District- Darbhanga

Santosh Jha @ Santosh Kumar Jha Son of Late Sushil Chandra Jha Resident
of Village-Deokuli Bahadurpur, P.S.-Bahadurpur, District-Darbhangha.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Mukund

For the Opposite Party/s : Mr.A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 02-11-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in Bahadurpur P.S. Case No.
410 of 2019, registered for the offence under Sections
306/201/34 of the Indian Penal Code.

The prosecution case, in short, is that the petitioner
submitted a written report informing regarding death of his
mother due to accidental fire and as such, on the basis of said
written report, Bahadurpur PS UD Case No. 16 of 2019 was
registered, but later on during course of investigation, the
informant, who is SHO, lodged present FIR against petitioner
and others on the strength of the fact that death of the deceased
was not caused due to accidental fire, as alleged by this
petitioner, rather she committed suicide due to torture.



It is submitted on behalf of petitioner that petitioner is son of the deceased and he has falsely been implicated in this case. It is further submitted that on the date of occurrence, while the mother of the petitioner was offering puja, her *saree* caught fire, as a result of which, she died. It is further submitted that petitioner was living outside and when he received telephonic information regarding the occurrence, he reached there, but he was implicated falsely. It is further submitted that chargesheet has already been submitted and petitioner is in custody since 24-03-2020, having no criminal antecedent, as stated in paragraph – 3 of the petition.

Considering the aforesaid facts and circumstances, the bail application of petitioner is allowed.

Let the above-named petitioner 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 learned Judicial Magistrate 1st Class, Darbhanga in connection with Bahadurpur P.S. Case No. 410 of 2019 on the following conditions:

“(1) Petitioner shall cooperate 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 on his absence on two consecutive dates without sufficient reason, his bail-bond shall be



cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”.

(Prabhat Kumar Singh, J.)

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