

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31467 of 2020

Arising Out of PS. Case No.-75 Year-2020 Thana- PURNAHYA District- Sheohar

GUDDU THAKUR Son of Deo Narayan Thakur, Resident of Dostiya North
Purnahiya, P.S.- Purnahiya, District- Sheohar- 843334.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur, Adv.

For the Opposite Party/s : Mr.Ram Chandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 01-12-2020 Heard both sides through Video Conferencing.

Petitioner seeks bail in Purnahiya P.S. Case No.75 of 2020 registered under Sections 302, 120(B) of the IPC and under Section 27 of the Arms Act.

The informant alleged that on 20.06.2020 at about 3:45 p.m. he along with his elder son Akhileshwar Kumar Jha @ Chandramohan Jha, younger son Awdhesh Jha and Sonu Kumar was plucking mangoes from the orchard situated near his house. Three persons, namely, Satyendra Jha, Mrityunjay Kumar Thakur and Jay Mangal Jha came there. Mrityunjay Kumar Thakur and Jay Mangal Jha fired from their pistols on Awdhesh Jha. Awdhesh Jha got injuries and the accused persons fled away from there. The informant further alleged that his land is situated by the side of the boundary of Chandreshwar Jha and



Chandreshwar Jha was intending to purchase the land of the informant. That is why, Chandreshwar Jha, Pramod Thakur and Guddu Kumar (petitioner) were pressurizing the informant to transfer the land to Chandreshwar Jha.

Learned counsel for the petitioner submits that three persons, namely, Mrityunjay Kumar Thakur, Satyendra Jha and Jay Mangal Jha came to the orchard and Mrityunjay Kumar Thakur and Jay Mangal Jha fired causing death of Awdhesh Jha (son of the informant). The petitioner is only alleged to have persuaded and pressurized the informant to transfer the land situated by the side of the boundary of Chandreshwar Jha, but no material is collected to show any conspiracy and involvement of the petitioner. There is specific allegation against Mrityunjay Kumar Thakur and Jay Mangal Jha that they fired. The petitioner is in jail since 21.06.2020.

Learned A.P.P., however, opposed the prayer for bail and submitted that the petitioner appears to have conspired with other accused persons.

Taking into consideration the facts and the nature of allegations and the fact that the petitioner is not the assailant of the deceased and the petitioner is only alleged to have pressurized the informant to transfer the land to Chandreshwar



Jha for that the petitioner has already remained in jail for more than five months, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M. II, Sheohar in connection with Purnahiya P.S. Case No.75 of 2020.

(Prabhat Kumar Jha, J)

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