

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13287 of 2020

Arising Out of PS. Case No.-231 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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ABODH JHA @ KAMOD JHA @ KUMOD JHA Son of Late Rajeshwar Jha
Resident of Village-Bari Aighu, P.S.-Muffail, District-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mrs. Asha Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 04-01-2021 Heard Shri Ajay Kumar Thakur, the learned counsel
for the petitioner and Mrs. Asha Kumari, the learned A.P.P. for
the State.

The petitioner seeks regular bail in connection with
Mufassil P.S. Case No. 231 of 2018 for the offence registered
under Sections 302, 201/34 of the Indian Penal Code.

The allegation is regarding the deceased victim boy
having gone with the accused persons to attend a Tilak
ceremony and thereafter, it is alleged that his dead body was
found on the side of the State Highway.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case and he is having a clean antecedent. It is further



submitted that the petitioner is languishing in custody since 07.11.2019. The learned counsel for the petitioner has further submitted that there is no eye witness of the alleged occurrence and moreover, there is no material on record to suggest the complicity of the petitioner in the alleged crime except the petitioner having been last seen in the company of the deceased. However, the fact is that the petitioner had gone to attend a Tilak ceremony and only thereafter, the deceased victim boy had gone missing and his dead body was subsequently found on the side of the State Highway.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials on record as also those available in the case diary, I find that there is minuscule evidence to suggest the complicity of the petitioner in the alleged crime and moreover, there is no eyewitness to the occurrence as also the petitioner is languishing in custody since 07.11.2019, hence I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed



to be released on bail on furnishing bail bond of Rs. 10,000/-
(Ten Thousand) with two sureties of the like amount each to the
satisfaction of learned Chief Judicial Magistrate, Begusarai in
connection with Mufassil P.S. Case No. 231 of 2018.

(Mohit Kumar Shah, J)

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