

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32712 of 2020

Arising Out of PS. Case No.-16 Year-2020 Thana- PHULPARAS District- Madhubani

PRAVIN JHA S/o Shiv Narayan Jha Resident of Village-Phulparas, Police
Station-Phulparas, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Jha

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-02-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in a case registered under Section 302/34 of the Indian Penal Code.

Allegedly, while the informant's after having purchased some household articles, reached on the road in front of his house, the accused persons surrounded him. It is further alleged that having tied the towel in his neck, the accused persons pushed her husband under a white colour four wheeler due to which, her husband was crushed. It is further alleged that husband of the informant was murdered on the road in broad



daylight by the accused persons.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. The petitioner is not named in the FIR. His name transpired in this case on the basis of information given by the spy. In course of investigation, it has come that it is a case for the offence under Section 304(A) of the Indian Penal Code. The petitioner is said to be driver of the vehicle. From perusal of the evidence adduced by the witnesses in course of investigation, this case prima facie appears to be a case under Section 304(A) of the Indian Penal Code and no offence under Section 302 of the Indian Penal Code is made out.

On behalf of the State, it is submitted that the petitioner is not named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate-II, Jhanjharpur, Madhubani in connection with Phulparas P.S. Case No. 16 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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