

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36274 of 2020

Arising Out of PS. Case No.-27 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

1. Mukesh Kumar Jha @ Mukesh Jha son of Nagendra Jha Resident of village-Dakjari, P.S- Runnisaidpur, District-Sitamarhi
2. Madhuri Devi @ Madhuri Jha W/o- Mukesh Kumar Jha @ Mukesh Jha Resident of village-Dakjari, P.S- Runnisaidpur, District-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr.Nafisuzzoha, Advocate
For the State	:	Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 27-10-2021 Heard the parties.

After some arguments, learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application on behalf of petitioner no.2, namely, Madhuri Devi @ Madhuri Jha.

Permission is accorded. This anticipatory bail application is dismissed as withdrawn so far as petitioner no.2, namely, Madhuri Devi @ Madhuri Jha is concerned.

So far as petitioner no.1, namely, Mukesh Kumar Jha @ Mukesh Jha is concerned, he apprehends his arrest in connection with Runnisaidpur P.S. Case No. 27 of 2020 registered for the offences under Sections 304(B), 120(B) and



201 of the Indian Penal Code.

Petitioner no. 1, namely, Mukesh Kumar Jha @ Mukesh Jha is the brother-in-law (Bahnoi) of the husband of the deceased. In my opinion, he has no direct role in torturing and killing of the wife of his brother-in-law. Moreover, he has informed the father of the deceased about her death.

In the aforesaid circumstances, the application for anticipatory bail of petitioner no.1, namely, Mukesh Kumar Jha @ Mukesh Jha is allowed. Let petitioner no.1, namely, Mukesh Kumar Jha @ Mukesh Jha, in the event of his arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi in connection with Runnisaidpur P.S. Case No. 27 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The Investigating Officer of this case has failed to examine the doctor who has initially treated the deceased. There is serious lapse on the part of the I.O. in investigation of the case.

Thus, Superintendent of Police, Sitamarhi is directed to change the Investigating Officer of the case and depute



another Investigating Officer in the case so that the case is investigated properly. Superintendent of Police is also directed to supervise the case properly so that this kind of lapse does not happen in the future.

With these observations and directions, this application is partly allowed.

Let a copy of this order be communicated to the Superintendent of Police, Sitamarhi through FAX message forthwith.

(Sandeep Kumar, J)

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