

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37021 of 2020

Arising Out of PS. Case No.-251 Year-2018 Thana- CHHATAPUR District- Supaul

BHUPEN SARDAR @ BHUPENDRA SARDAR Son of Suman Sardar
Resident of Village- Khunti, P.S.- Chhatapur, District- Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat
For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-02-2021 Heard both sides.

The petitioner seeks bail in Sessions Trial No.74 of 2019 arising out of Chhatapur P.S. Case No.251 of 2018 registered under Sections 302, 120B and 34 of the Indian Penal Code.

The informant alleged that Bisheshwar Jha came to her house and persuaded her husband to accompany him for bringing motor. Initially her husband was not intended to go but later on, he also agreed and went along with Bisheshwar Jha. It is further alleged that after sometimes, Bisheshwar Jha called his son Nigam Jha that her husband met with an accident and brought him on an auto rickshaw of Subodh Mishra. Her husband was unconscious. The informant with the help of her family members took her husband to hospital for treatment. Her



husband was referred to two different hospitals and the doctor of P.M.C.H. has referred her husband for better treatment in a super speciality hospital. The informant took her to Delhi but her husband died during the course of treatment.

The learned counsel for the petitioner submits that other two accused persons namely Bisheshwar Jha and Nigam Jha have already been granted bail by order passed in Cr. Misc. No.24507 of 2019 and Cr. Misc. No.7447 of 2019. The case of the petitioner stands on better footing as there is no allegation against the petitioner. It was Bisheshwar Jha who had taken the husband of the informant with him and thereafter the condition of the husband of the informant became serious. There was no external injury on the body of the deceased. The petitioner was found standing near the place of occurrence and this is the only allegation against the petitioner.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioner and the fact that Bisheshwar Jha and Nigam Jha against whom there is allegation that they took the deceased with them have already been granted bail, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned



Additional Sessions Judge IV, Supaul in connection with
Sessions Trial No.74 of 2019 arising out of Chhatapur P.S. Case
No.251 of 2018.

(Prabhat Kumar Jha, J)

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