

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50187 of 2021

Arising Out of PS. Case No.-412 Year-2019 Thana- VAISHALI District- Vaishali

MAGNU JHA @ INDRAJEET JHA @ MANGARU JHA Son of Nagendra
Jha Resident of village - Jarang Rampur, P.S.- (Belsar O.P.), Vaishali, Dist. -
Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Pratima Kumari, Advocate
For the Opposite Party/s : Mr.Jai Narain Thakur, APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Vaishali
(Belsar O.P.) P.S. Case No. 412 of 2019 registered for the
offences punishable under Sections 304(B), 201, 34 of the IPC.

According to prosecution case, marriage of
informant's daughter was solemnized with one Ajay Kumar Jha
on 09.07.2017. After marriage, accused persons started
demanding motorcycle and a gold chain in dowry. On non-
fulfillment of said demand, the accused persons used to assault



and torture the informant's daughter and lastly, she was killed by the accused persons including the petitioner.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. Learned counsel further submits that petitioner is Bhaisur of the deceased and is separate from the husband of the deceased. It is further submitted that it appears from the FIR itself that no specific allegation has been levelled against the petitioner rather there is general and omnibus allegation against all the accused persons. Petitioner is in custody since 11.04.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, 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 the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali (Belsar O.P.) P.S. Case No. 412 of 2019, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date



fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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