

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.780 of 2021

Arising Out of PS. Case No.-448 Year-2020 Thana- MAJHAULIA District- West Champaran

Rajiv Jha @ Rajiv Kumar Jha Son of Late Triyogi Narayan Jha Resident of
Banu Chhapar, P.S.- Banu Chhapar O.P. (Muffasil), Bettiah West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 08-03-2021 Let the defects be removed within four weeks.

Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

The petitioner is languishing in custody for the
offences punishable under Sections 302/120B/34 of the Indian
Penal Code.

According to FIR, Mr. Subhash Yadav son of the
informant left his house at 10:00 PM saying that he is going to
pay money to Lal Babu Srivastava and Ankit Srivastava.
Subhash Yadav has left his house on the motorcycle of the
petitioner as the petitioner was his business partner but the
petitioner was not there at the time of leaving of the house by



Subhash Yadav. Further Subhash Yadav phoned to his father that he has already reached at the house of Ankit Srivastava but did not return to his house; rather his dead body was found in the canal and it was noticed that his murder was committed by causing injuries with sharp cutting weapons.

The impugned order does not reveal that any specific material was there against the petitioner nor there is any material for motive of the petitioner; rather on the basis of CDR details the petitioner has been booked in this case.

Learned counsel for the informant opposed the prayer for bail on the ground that this is a case of pre-planned murder.

Considering the lack of material against the petitioner for further detention as well as completion of investigation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Majhauria P.S. Case No.448 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.



(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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