

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7688 of 2022

Arising Out of PS. Case No.-207 Year-2021 Thana- MANIGACHI District- Darbhanga

ANUJ KUMAR JHA Son of Sri Kishore Jha Resident of Village - Makranda,
P.S.- Manigachhi, Distt.- Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha
For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 120B, 201/34 of the
I.P.C.

According to prosecution case, in brief, is that on
04.10.2021 at about 6:30 PM, the son of the informant namely
Rajesh Raushan Jha (deceased) told the informant that his
brother-in-law (Sala) namely Devesh Jha, one of the co-accused
of this case, has asked his sister to come to his house where he
shall prepare documents relating to the marriage of his sister



Jyoti Devi with him and also pertaining to her divorce from her 1st husband. The son of the informant, after disclosing this fact to the informant, left his house and went to the parental house of his wife Jyoti Devi at village Bhandarison, along with the co-accused Devesh Jha @ Rishi Baba. On the next day on 05.10.2021, the informant got information that the dead body of her son was traced out near a pond in the village Bhandarison. It has been alleged that the accused persons including the petitioner under a well hatched conspiracy killed the son of the informant, after brutally assaulting him and slitting his throat.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submitted that nothing has come during investigation against the petitioner except C.D.R. of the mobile of the co-accused Devesh Kumar Jha who happens to be the younger brother of Jyoti Kumari. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Amit Kumar Jha @ Amit Jha has been granted bail by a co-ordinate Bench of this Court vide order dated 26.04.2022 passed in Cr. Misc. No. 5272 of 2022. The petitioner is in custody since 01.11.2021.



The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 Court below where the case is pending in connection with Manigachhi P.S. Case No. 207 of 2021, 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)

minu/-

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