

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27032 of 2022

Arising Out of PS. Case No.-22 Year-2021 Thana- KHAJAULI District- Madhubani

SANTOSH KUMAR JHA Son of Prabodh Jha @ Pramod Narayan Jha
Resident of Village - Sukki, P.S.- Khajauli, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 10-10-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 read with 34 of the Indian Penal Code.

As per the prosecution case, the nephew of the informant, co-villager Bishambhar and the petitioner Santosh Kumar Jha, went towards Uttari on two cycles. When the informant's nephew and co-villager Bishambhar did not return till night, the informant and other villagers started searching



them. The next day they were informed that two dead bodies have been found in the field of the co-accused which was identified as the nephew of the informant and co-villager Bishambhar. Later it was found that the petitioner Santosh Kumar Jha returned to his house at 12'o clock and on being asked about the two deceased persons, he told that in Tehra village dispute arose between them and he became injured and the informant's nephew and co-villager Bishambhar fled away. It is further alleged that the said two dead bodies were dragged from the field of the co-accused Sanjay Kumar Singh to the farm of the co-accused Rambabu Singh. The field of the co-accused Sanjay Kumar Singh is fenced with live electric wire having electric current.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 28.02.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that it is the petitioner who was accompanied with the deceased and dispute



arose between them and thereafter both of them were found dead. It is a case of murder.

Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am not inclined to enlarge this petitioner above-named on bail.

Learned Trial Court is directed to expedite the trial and conclude the same preferably within 6 months.

The bail petition stands rejected.

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(Chandra Prakash Singh, J)

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