

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52459 of 2021

Arising Out of PS. Case No.-67 Year-2021 Thana- BENIPATTI District- Madhubani

1. Ghanshyam Jha Son Of Lated Maheshwar Jha Resident Of Village- Gaibipur, P.S.- Benipatti, Dist- Madhubani.
2. Sunaina Devi W/O Ghanshyam Jha Resident Of Village- Gaibipur, P.S.- Benipatti, Dist- Madhubani.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Kaushal Kr.Jha, Senior Advocate and Mr. Chandra Mohan Jha, Advocate
For the State	:	Mr. Ajay Kumar No. 2, Addl Public Prosecutor
For the informant	:	Miss Kusum Rani, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-01-2022 Heard learned senior counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under sections 307, 302/120 and other ancillary sections of the Indian Penal Code and section 27 of the Arms Act.

Learned senior counsel for the petitioners submits that petitioners are husband and wife respectively and from perusal of the FIR itself it is evident that at best petitioner no.1 can be said to be an order giver and there is no direct or indirect allegation of participating in the offence against petitioner no.2. Further, petitioner no.1 has got criminal antecedent, whereas petitioner no.2 claims clean antecedent and they are in custody since 30.3.2021. Similarly situated co-accused Nikhil Kumar Jha has already been allowed bail by a co-ordinate bench of this Court vide order dated 12.1.2022, passed in Cr.Misc.No. 50748/2021.

Learned counsel appearing for the State and the



informant oppose the prayer for bail and submit that the accused persons including the petitioners, in a planned conspiracy, killed the victims.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let both the petitioners, as named above, 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 Additional Chief Judicial Magistrate 1st, Benipatti, Madhubai in Benipatti Police Station Case No. 67 of 2021.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

