

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54213 of 2021

Arising Out of PS. Case No.-75 Year-2020 Thana- PURNAHYA District- Sheohar

Chandrashekhar Jha, aged about 98 years (Male), Son Of Hitnarayan Jha, R/O
Village- Dostiya Uttari, P.S.- Purnahiya, District- Sheohar.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vikash Kumar Jha, Advocate
For the Opposite Party : Mr. Mohammed Arif, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 27-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks.

The petitioner is apprehending his arrest in connection
with Purnahiya P.S. Case No. 75 of 2020 for the offence
registered under Sections 302 read with Section 120(B) of the
I.P.C. and Section 27 of the Arms Act.

The prosecution story, in brief, is that on 20.06.2020
at about 3.45 P.M., in the day, the elder son of the informant,
namely, Akhileshwar Kumar Jha alias Chandramohan Jha,
younger sons, namely, Awadhesh Jha and Sonu Kumar Jha were
plucking mango in the orchard. At that time, co-accused



Satyendra Jha, Mritunjay Kumar Thakur and Jai Mangal Jha came on a Motorcycle there. Co-accused Mritunjay Kumar Thakur and Jai Mangal Jha having pistols in their hands fired upon the son of the informant, namely, Awadhesh Jha and fled away towards eastern side. The informant took his son in an injured condition to Dr. Varun Kumar where he was declared dead by the doctor. The reason behind the occurrence is that in the boundary wall of Chandrashekhar Jha (petitioner), there is a land of the informant. For that land, Chandrashekhar Jha (petitioner), Pramod Thakur and Guddu Thakur were giving pressure for executing registered sale deed of the said land in favour of Chandrashekhar Jha (petitioner). There was also a land dispute between the informant and Pramod Thakur near a school. For that reason, Pramod Thakur gave threatening to kill him. The informant claims that the aforesaid accused persons, with conspiracy, killed his son.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. There is no allegation of assault alleged against the petitioner. The allegation of assault is alleged against Mritunjay Kumar Thakur and Jai Mangal Jha



who is alleged to have fired upon the deceased.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Sheohar, in connection with Purnahia P.S. Case No. 75 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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