

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47929 of 2022

Arising Out of PS. Case No.-238 Year-2021 Thana- KAJI MUHAMMADPUR District-
Muzaffarpur

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AMAN KUMAR JHA, aged about 22 years (Male), S/o Shivnandan Jha, R/o
village- Dhakjari, P.S.- Arer, District- Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Anish Kumar, Advocate
For the Opposite Party : Mr. Shantanu Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

The petitioner seeks bail in connection with
Kazimohammadpur P.S. Case No. 238/2021, corresponding to
Sessions Trial No. 123/2022, registered for the offence under
Sections 302, 328, 379/34 of the I.P.C. Later on, Section 411 of
the I.P.C. was also added.

The prosecution case, in brief, is that on 19.08.2021 at
about 10.35 hours, the informant received an information at
Darbhanga that his younger brother, namely, Md. Saddam



Hussain, is unconscious in a house at Rambagh, P.S. Mithanpura, District-Muzaffarpur. Upon which, he came to S.K.M.C.H. and found his brother dead. The informant came to know that all accused persons including the petitioner poisoned his brother and killed him and have taken the ornaments of him.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 28.08.2021. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against him. Though as per the F.I.R., it is alleged that death was done due to administering poison but the postmortem report shows that the cause of death is due to injury caused by hard and blunt substance.

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, the petitioner, above-named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Sessions Judge-12th,
Muzaffarpur, in connection with Kazimohammadpur P.S. Case
No. 238/2021, corresponding to Sessions Trial No. 123/2022.

(Sudhir Singh, J)

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