

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4377 of 2023

Arising Out of PS. Case No.-113 Year-2022 Thana- MUSRIGHRARI District- Samastipur

1. SANTOSH JHA @ SANTOSH KUMAR JHA Son of Radha Jha @ Radhakant Jha Resident of Village - Udapatti, P.S.- Musrigharari, District - Samastipur
2. Surendra Jha Son of Late Laldev Jha Resident of Village - Udapatti, P.S.- Musrigharari, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vaishnavi Singh
	:	Ajay Kumar Thakur, Ritwik Thakur
For the informant/s	:	Rajeev Ranjan
For the Opposite Party/s	:	Mr. Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

- 3 20-06-2023 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

The petitioners seek regular bail in connection with Musrigharari P.S. Case No. 113 of 2022 registered for the offence under Sections 302/34 of the Indian Penal Code and Section 27 of Arms Act.

According to the FIR, the informant alleged that his son namely, Ajit Jha @Sonu was committed murder by shot fire by the accused persons including the petitioners. Thereafter, this case has been lodged.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. From



perusal of prosecution case, initially, there is no eye witness of the alleged occurrence. Further, the falsity of the present case is that the inquest report of the deceased was prepared on 28.6.2022 at Sadar Hospital, Samastipur on Ambulance stretcher and family members of the deceased are the inquest report witnesses. It is also submitted that the informant in his further statement has stated that his wife disclosed that villagers informed her that all the accused persons killed her son at the house of Chandan Chaudhary and thereafter only on the basis of suspicion, these petitioners have made accused in the present case. The family members of the co-accused Chandan Chaudhary have made altogether a different allegation in order to save their son Chandan Chaudhary. Moreover, the petitioners are languishing in judicial custody since 8.9.2022.

Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Musrighharari P.S. Case No. 113 of 2022 on furnishing bail



bond of Rs.10,000/- (ten thousand) each with two sureties of the
like amount each to the satisfaction of learned Additional Chief
Judicial Magistrate, Samastipur.

(Sunil Kumar Panwar, J)

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