

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9893 of 2023

Arising Out of PS. Case No.-876 Year-2021 Thana- ALAMGANJ District- Patna

NAVIN KUMAR JHA @ ASHUTOSH, aged about 30 years, Male, SON OF
RAMNATH JHA RESIDENT OF VILLAGE- GHAT BARAURI (GAD
BARAURI), P.S.- SUPAUL, DISTRICT- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 04-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Alamganj P.S. Case No. 876 of 2021 dated 21.12.2021
registered for the offence(s) punishable under Section(s) 302
and 120 B of the Indian Penal Code.

3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner is not named in
the FIR, his name came into light during investigation in the
statement of one witness, namely, Puja, a transgender, who
expressed her suspicion against the petitioner, on the body of the
deceased no external injury was found by the doctor concerned
and cause of death could not be ascertained and chargesheet



was submitted under Sections 304 and 379 of the IPC against the petitioner and after petitioner's arrest in the present matter, no looted article was recovered from his possession and the petitioner has been chargesheeted only on the basis of statement of said Puja in which only suspicion was raised against the petitioner and moreover the petitioner has been languishing in jail since 15.02.2022. Further submissions are that in the FIR, the informant raised suspicion against two persons, namely, Anil Kumar and Bittu Kumar, who happen to be nephew and neighbour of the victim but no suspicion was raised against the petitioner in the FIR.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the custody period of the petitioner and the completion of investigation against him and also the fact that he is not named in the FIR and during course of investigation, his name surfaced mainly on the basis of statement of one witness, as stated above, and in the FIR, the informant raised suspicion against two other persons, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail in connection with Alamganj



P.S. Case No. 876 of 2021 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

Sanjay/-

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

