

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22863 of 2023

Arising Out of PS. Case No.-769 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

AJAY JHA @ AJAY KUMAR JHA S/o- LATE SURESH JHA resident of
Phulwaria P.S.- Beldour Dist- Khagaria Presently residing at F-3/25,- Barauni
Refinery Township P.S-. Town Thana Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Kumar, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 14-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
12.12.2022 in connection with Begusarai Town P.S.Case
No.769 of 2022, F.I.R. dated 11.12.2022 registered for the
offence punishable under Section 302 of IPC but the police after
investigation, submitted chargesheet against the petitioner under
Section 306 of IPC.

3. The prosecution case, in brief, is that the informant
alleged that the petitioner used to mentally and physically
torture Lalita Devi (wife of the petitioner and sister of the
informant) on account of her bad character. On 09.12.2022
Vijay Jha, who is another brother-in-law (bahnoi) of the



informant informed him that the informant's sister had committed suicide by hanging herself. It was suspected by the informant that the deceased was murdered by the petitioner and to purport this act as a case of suicide, the body had been hanged.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and it has come during investigation that the deceased had committed suicide herself so the police has filed the chargesheet against the petitioner under Section 306 of IPC and the petitioner is in custody since 12.12.2022.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai in connection with Begusarai Town P.S.Case No.769 of 2022,with the following conditions:-



(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

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

