

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14080 of 2024

Arising Out of PS. Case No.-41 Year-2023 Thana- TILAUTHU District- Rohtas

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Jagnarayan Sharma son of Jugeshwar Sharma @ Yugeswar Sharma Village-
Chandanpura Ps- Tilauthu Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sadanand Roy, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Tilauthu P.S. Case No. 41 of 2023 instituted for the offences
punishable under Section 302 of the Indian Penal Code.
However, the charge-sheet has been submitted u/s 306 of the
I.P.C.

3. As per the prosecution case, the petitioner
committed murder of the informant's sister-in-law (sali) namely,
Archana Devi.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. Petitioner
is the husband of the deceased due to which he has falsely been



implicated in this case. No one is the eye witness of the alleged occurrence. There is no consistent evidence against the petitioner to show his complicity in the alleged occurrence. The petitioner has got no criminal antecedent. He has surrendered before the learned court below on 27.06.2023 and since then he is languishing in judicial custody.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. From perusal of the F.I.R., it appears that F.I.R. registered against petitioner on the basis of written report of informant Sanjay Kumar Sharma who is brother-in-law (Bahnoi) of the deceased. The informant is not the eye witness of the alleged occurrence. Neither any relative as brother, mother and father of the deceased has lodged the F.I.R. nor they went on the spot after hearing about the death of the deceased. From perusal of the impugned order dated 20.12.2023, it appears that cause of death is asphyxia caused by hanging. It is also submitted that initially the F.I.R. has been registered u/ 302 of the I.P.C. but after concluding the investigation, the investigating officer has submitted charge-sheet u/s 306 of the I.P.C. against the petitioner. Petitioner is in custody since 27.06.2023, accordingly the prayer for bail of the petitioner is



allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Dehri, District-Rohtas in connection with Tilauthu P.S. Case No. 41 of 2023.

(Ramesh Chand Malviya, J)

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