

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26678 of 2024

Arising Out of PS. Case No.-217 Year-2023 Thana- SHAMBHUGANJ District- Banka

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Madan Jha @ Madan Kumar Jha S/O Shirdhar Jha @ Shildhar Jha R/O
Vilage- Kasba, P.S- Shambhuganj, Distt.- Banka.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 72134 of 2024

Arising Out of PS. Case No.-217 Year-2023 Thana- SHAMBHUGANJ District- Banka

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Ashwani Jha @ Ashiwani Jha @ Ashwani Kumar Jha S/o Pappu Jha Resident
of Vill - Kasba, P.S- Shambhuganj, Distt. - Banka

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 26678 of 2024)

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

For the Opposite Party/s : Mr.Md. Mushtaque Alam

(In CRIMINAL MISCELLANEOUS No. 72134 of 2024)

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

7 20-11-2024

Ref:- Cr. Misc. No. 26678 of 2024

Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with
S.T. No. 718 of 2023 arising out of Shambhuganj P.S. Case No.
218 of 2023 registered for the offence under Sections 304B,
120B/34 of the Indian Penal Code.

3. As per the prosecution case, petitioner is the



husband of the deceased-victim.

4. Learned counsel for the petitioner submits that the wife of the petitioner was ill and on way to the hospital, she died. Petitioner is in custody since 20.08.2023.

5. Learned A.P.P. has vehemently opposed the prayer for bail.

6. The learned counsel for the petitioner has not been able to produce any material in support of his defense i.e. the statement of the person or the driver of the vehicle in which the deceased was being taken to the hospital.

6. Considering the serious allegations levelled against the petitioner who is the husband of the deceased victim, I am not inclined to grant bail to the petitioner.

7. Accordingly, this application for regular bail is dismissed. The court below is directed to expedite the trial of the petitioner.

8. If the trial is delayed by the prosecution, the petitioner may renew his prayer for bail.

Ref:- Cr. Misc. No. 72134 of 2024

Heard the learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks regular bail in the present case



registered for the offence under Sections 304(B), 120(B) of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have committed the murder of the victim.

4. Learned counsel for the petitioner submits that petitioner is innocent and there is general and omnibus allegation against the petitioner. Petitioner is in custody since 22.12.2023. He next submits that the petitioner is not directly connected with the victim. He is a villager. There is no criminal antecedent against the petitioner.

5. Learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the general and omnibus allegation against the petitioner, this application for regular bail is allowed.

7. 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 the learned Addl. Sessions Judge 1st, Banka/concerned Court below in connection with Shambhuganj P.S. Case No. 217 of 2023.

8. This application stands allowed.

(Sandeep Kumar, J)

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