

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49953 of 2025

Arising Out of PS. Case No.-26 Year-2020 Thana- BHAWANIPUR District- Purnia

Manoj Kumar Jha @ Manoj Jha S/o Late Yogeshbar Jha @ Bhola Jha
Resident of Basantpur, P.S.- Rupauli, District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Prasad

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-08-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Bhawanipur P.S. Case No. 26 of 2020, registered for the offences punishable under Sections 302, 201, 34 of the Indian Penal Code.

3. Allegedly the petitioner along with one Chhotu Dhangar came to the house of the informant and taken away the husband of the informant but he did not return. Later on, when in the next morning, the informant enquired about her husband to the petitioner and co-accused person, both of them assured the informant that her husband would be returned soon. After few days, the dead body of the husband of the informant was found lying in an abandoned place.

4. Learned Advocate for the petitioner contended that



from the FIR it would be evident that the husband of the informant was allegedly taken away by the petitioner along with co-accused person on 14.02.2020 and the FIR came to be instituted on 20.02.2020. In fact, during the course of investigation, nothing tangible evidence has come which suggests any complicity against the petitioner and accordingly police has submitted final form showing the petitioner as innocent. However, differing with the final report, the learned Chief Judicial Magistrate has taken cognizance as alleged in the FIR on 28.09.2024. Hence, the present anticipatory bail application. It is lastly contended that be that as it may, the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation and the trial.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application.

6. Having considered the submissions set forth by the learned Advocates for the respective parties and taking note of the final report showing the petitioner as innocent and the order of the learned Chief Judicial Magistrate, who took cognizance after differing with the afore noted final report, coupled with the delay in lodging of the FIR and the fair antecedent, let the petitioner abovenamed be released on bail, in the event of his



arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnia in connection with Bhawanipur P.S. Case No. 26 of 2020 , subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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