

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31727 of 2015

Arising Out of PS.Case No. -99 Year- 2015 Thana -GHANSHYAMPUR District- DARBHANGA
=====

Dilip Kumar Jha, son of Premchandra Jha @ Lal Babu Jha

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Jha, Advocate

For the Opposite Party/s : Mr. M.Rab(App)
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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 07-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 325, 379 and 504 of the Indian Penal Code.

Prosecution case is that the co-accused Lal Babu Jha, Deepu Jha and petitioner Dilip Jha came to the field of the informant when Lal Babu Jha caused injury with spear on the foot of the informant and, thereafter, on the order of Lal Babu Jha, the co-accused Dilip Jha and petitioner assaulted with 'farsa' on the head of the informant and Lal Babu Jha caused injury on the nose of the informant and took away Rs.54,000/-.

It is submitted by learned counsel for the petitioner that for the occurrence of 07.04.2015, the fardbeyan was recorded on 30.04.2015, which came to be registered as police case on

14.05.2015 and there is no explanation for such delay whereas the petitioner's side lodged Ghanshyampur P.S. Case No.62 of 2015 levelling accusation under sections 341, 323, 307, 325/34 of the Indian Penal Code on 06.04.2015 itself wherein father of the petitioner received grievous injury. The injury report of the informant brought on record, by way of supplementary affidavit, reflects three injuries out of which injuries on the scalp and leg have been found grievous.

Considering the delayed lodging of the case and the counter version of the occurrence, wherein father of the petitioner received grievous injury, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Biroul, Darbhanga in connection with Ghanshyampur P.S. Case No.99 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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