

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35908 of 2015

Arising Out of PS.Case No. -215 Year- 2015 Thana -BAHERA District- DARBHANGA

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1. Bhutto Jha @ Bhutta Jha son of Late Ram Roop Jha.
 2. Dipak Kumar Jha son of Sri Bhutta Jha.
 3. Priyanka Kumari D/o Sri Bhutta Jha.
 4. Chandrama Devi wife of Sri Bhutta Jha.
- All are residents of village- Kanthudih, Police Station- Bahera, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha

For the Opposite Party/s : Mr. Sanjay Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 04-09-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 448, 341, 323, 379, 325 and 504/34 of the Indian Penal Code.

It is alleged that the accused persons came variously armed when petitioner no. 1 Bhutto Jha assaulted on the left hand of the informant causing fracture injury, petitioner no. 2 Dipak Kumar Jha assaulted the informant with lathi, petitioner nos. 3 and 4 Priyanka Kumari and Chandrama Devi

took gold chain worth Rs.30,000/- when the daughter of the informant Dipa Kumar and Ram Shankar Jha came to rescue they were also assaulted.

It is submitted by learned counsel for the petitioners that petitioner no. 1 is the own brother of the husband of the informant and due to the land dispute the accusation has been levelled and for the occurrence of 02.05.2015 the FIR was registered on 05.05.2015 when there is counter version of the occurrence and the petitioners' side lodged case at earlier point of time.

Considering the fact that petitioner no. 1 Bhutto Jha caused grievous injury, let learned court below consider the prayer for regular bail of petitioner no. 1, if he surrenders before the learned court below within a period of six weeks from today keeping in view of the fact that in the background of land dispute the accusation has been levelled and the injury has caused on non-vital part of the body.

Considering the fact that accusation is omnibus and general against petitioner nos. 2 to 4 and they have not caused any grievous injury, let the above named petitioner nos. 2 to 4 be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period

of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Benipur, Darbhanga in connection with Bahera P.S. Case No. 215 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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