

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49843 of 2014

Arising Out of PS.Case No. -91 Year- 2009 Thana -MAHISI District- SAHARSA

1. Anjani Kumar Jha @ Anjani Jha
2. Chandan Kumar Jha @ Chandan Jha Both sons of Dastarh Jha Resident of Village - Mahishi, Police Station - Mahishi, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Rajendra Pd. Nat(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 09-04-2015 Heard learned counsel for the petitioners and learned counsel representing the State.

Petitioners apprehend their arrest in connection with Mahishi P.S.Case No. 91 of 2009 registered for the offences punishable under Sections 323, 325, 307/34 of the Indian Penal Code.

At the very outset, it has been submitted that though the petitioners are named in the F.I.R. but after completing investigation, the petitioners have been found innocent and both have not been sent up and charge sheet was submitted only against co-accused Dasrath Jha vide Annexure-2 but the learned Court below after differing with the view of the Investigating

agency took cognizance, resulting the petitioners are also apprehending their arrest.

Learned A.P.P. fairly submits that after completing investigation, the petitioners have not been sent up for trial in this case.

In the facts and circumstances stated above, the petitioners above named, in case of their surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Mahisi P.S.Case No. 91 of 2009, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

(Jitendra Mohan Sharma, J)

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