

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4481 of 2015

Arising Out of PS.Case No. -191 Year- 2014 Thana -GHANSHYAMPUR District- DARBHANGA

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1. Shaktinath Jha
 2. Sachindra Nath Jha@Sachindra Jha
 3. Ravi Shankar Jha
 4. Kumar Prasoon@Raushan@Raushan Jha
 5. Ranjit Jha@Ranjit Kumar Jha
 6. Pitambar Mishra
 7. Baidyanath Mishra@Baijnath Mishr
 8. Madan Jha
 9. Tara Shankar Jha
 10. Harsh Jha@Harsh Kumar Jha
 11. Suresh Mishra@Suresh Mishr
 12. Sakeem Nadaf

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prafull Chandra Jha
For the Opposite Party/s : Mr. Murlidhar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 02-04-2015 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged that 19 FIR named accused persons including the petitioners came variously armed and surrounded the informant when on the order of petitioner no.1, co-accused Pradeep Jha, Indra Kant Jha and Jay Narayan Jha (non-petitioners)

resorted to fire causing injury to the informant.

It is submitted by learned counsel for the petitioners that for the occurrence of 19.10.2014 at 7.30 AM, the FIR was registered on 20.10.2014 at 11 AM. The case lodged by the petitioners' side is at earlier point of time when petitioners' side also received injury.

Considering the facts that no overt act is alleged against any of the petitioners and in the background of political rivalry, the accusation has been levelled, let the above named petitioner nos. 3 to 12 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) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Biraul at Benipur in connection with Ghanshyampur P.S. Case No. 191 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

So far as petitioner nos. 1 and 2 are concerned, this Court is not inclined to interfere only because they have serious criminal antecedent.

Let the learned court below consider the prayer for regular bail of petitioner nos. 1 and 2 if they surrender within a

period of six weeks keeping in view that on merits other similarly situated accused persons have been granted anticipatory bail by this Court.

(Dinesh Kumar Singh, J)

Amrendra/-

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