

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51126 of 2015

Arising Out of PS.Case No. -90 Year- 2015 Thana -RAJNAGAR District- MADHUBANI

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1. Pawan Kumar Jha @ Pawan Jha, Son of Late Shiv Shankar Jha
 2. Vikram Kumar Jha, Son of Pawan Jha @ Pawan Kumar Jha
 3. Gulab Jha, Son of Kamalu Jha @ Kamalu Nath Jha
 4. Bauwa Jha @ Bauwa Jha, Son of Gulab Jha
 5. Raman Jee Jha @ Rawan Ji Jha, Son of Late Shiv Shankar Jha
- All resident of Village- Bhatsimar, P.S.- Rajnagar, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13

For the Opposite Party/s : Mr. Ram Shankar Das (Spl.Pp)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 09-11-2015

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 341, 323, 325, 354(A), 504/34 of the Indian Penal Code and 3(1) (x) (xi) of SC/ST (Prevention of Atrocities) Act.

The prosecution case is that petitioner no. 2 Vikram Kumar Jha tried to outrage the modesty of Renu Kumari and Manorti Kumari and the informant on hearing alarm intervened when petitioner no. 2 caught hold of the informant and rest accused persons assaulted the informant by fists and

slaps. It is specifically alleged that Baua Jee Jha petitioner no. 4 abused the informant by calling caste name. Petitioner no. 1 Pawan Kumar Jha assaulted with Farsa when Shiv Shankar Jha dashed the head of the informant on the ground.

It is submitted by learned counsel for the petitioners that for the occurrence of 31.05.2015 at 9.30 P.M. the FIR was registered on 02.06.2015 at 4.15 P.M. whereas case lodged by the petitioners' side was registered on 01.06.2015 at 6.30 A.M. The injuries of the informant side have been found to be simple. The accusation of dashing the head of the informant on the ground is levelled against Shiv Shankar Jha who died several years prior to the occurrence. The petitioners' side have also received injury and informant has retracted from the initial version and filed a petition to that effect before the learned court below.

A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners 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 Judicial
Magistrate, Ist Class, Madhubani in connection with Rajnagar
P.S. Case No. 90 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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