

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.871 of 2016

Arising Out of PS.Case No. -252 Year- 2015 Thana -MANIYARI District- MUZAFFARPUR

=====

1. Arun Jha Son of Dinesh Chandra Jha, R/o Village- Susta Madhopur, P.S.-
Sadar, District- Muzaffarpur.... Petitioner

Versus

1. The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

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

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 09-03-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Maniyari P.S. Case
No. 252 of 2015 registered for the offences punishable under
Sections 147, 148, 149, 323, 341, 307, 364 of the Indian Penal
Code and Sections 3(i) (x) of SC/ST (Prevention of Atrocities)
Act.

Allegedly, the petitioner and other 17 accused persons
being armed with lathi, rod surrounded Anshu Kumar, the younger
brother of the informant, and the petitioner and co-accused Dinesh
Jha ordered for killing him and thereafter, both started assaulting
Anshu Kumar and further brought him near the house of Mahesh
Rai where with intention to kill him brutally assaulted him with
lathi and rod causing injury on his leg, chest, abdomen and head
and thereafter, the accused persons went away.



Submission is of false implication and that there is no specific allegation against the petitioner, allegations are omnibus and general in nature, petitioner runs a factory behind his house and in his house an attempt was made to commit loot and in that connection one person was apprehended on the spot and Sadar P.S. Case No. 83 of 2015 was registered against the informant's side and again Sadar P.S. Case No. 615 of 2015 was registered against the prosecution party, at the behest of one Police Officer the case was filed earlier also by Neelam Devi vide Sadar P.S. Case No. 13 of 2015, the victim has received altogether 8 injuries and almost all are superficial in nature except the CT Scan report, the injuries are caused by hard blunt substance and are grievous in nature, there was no intervening circumstance, the petitioner is suffering in custody since 30.11.2015 and further chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence

In the facts and circumstances stated above, considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri S. K. Jha, J. M. Ist Class, Muzaffarpur in connection with Maniyari P.S. Case No. 252 of 2015, subject to

the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

avin/-

U		T	
---	--	---	--