

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23875 of 2016

Arising Out of PS.Case No. -151 Year- 2015 Thana -SAKRA District- MUZAFFARPUR

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1. Ritesh Kumar Jha, Son of Vimal Jha, Resident of Village- Yogini
Ganga, P.S- Sakra, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 26-05-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 341,
323, 324, 307, 379, 504/34 of the Indian Penal Code.

The prosecution case is that the informant Ashish
Kumar Jha @ Mintu Jha went to field for picking up gullar in
the meantime petitioner Ritesh Kumar Jha, co-accused Vimal
Jha and Gaurav Kumar Jha assaulted him. The petitioner
assaulted the informant with iron rod, causing cut injury on
his head and the other injury was caused on the shoulder.
The father and uncle of the informant came to rescue, then
accused persons also assaulted them. It is further alleged that
co-accused Vimal Jha took out Rs. 5,00/- and gold chain of
the informant, Gaurav Kumar took out mobile phone from the
pocket of uncle of the informant.

It is submitted by the learned counsel for the petitioner that there is no injury report on the record. Statement to that effect has been made in para-8 of the petition. There is counter version of the occurrence. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for two months in the event of his 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) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-cum-Sub Judge-IV, Muzaffarpur, in connection with Sakra P.S. Case No. 151 of 2015, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below, if no grievous injury was caused to the informant, but it is found that grievous injury has been caused to the informant, then petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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