

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45971 of 2016

Arising Out of PS.Case No. -125 Year- 2015 Thana -SIDHWARA District- DARBHANGA

- =====
1. Prabin Jha @ Prabin Kumar Jha,
 2. Shesh Jha alias Shesh Narayan Jha
 3. Barun Jha
 4. Rahul Jha

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Jha

For the Opposite Party/s : Mr. Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-10-2016

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 323,341,354B,307,448,427 and 504/34 of the Indian Penal Code.

The prosecution case is that on 16.6.2015 at 10 P.M. co accused Bhagat Jha in intoxicated condition knocked the door of the informant, entered into the house when the informant raised alarm then he escaped from the scene. Subsequently when the informant and her husband went to the house of co accused Bhagat Jha then co accused Bhagat Jha and the petitioner Rahul Jha assaulted the son of the informant with tube light rod and bricks. It is also alleged that rest of the petitioners came in support of co accused Bhagat Jha to the house of the informant, entered into the

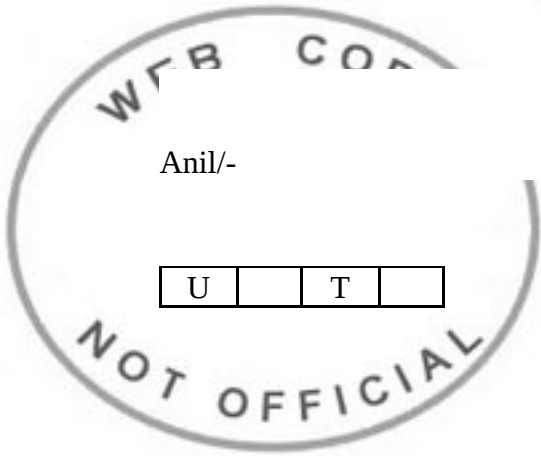
house and attacked the informant as a result the informant received injury. They also tried to kill Abhishek Sahu who was seriously injured.

It is submitted by the learned counsel for the petitioners that the accusation against the petitioners is omnibus and genera. The thrust of accusation is against co accused Bhagat Jha. There is counter version of the occurrence also and the informant side received superficial simple injury. 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 provisional anticipatory bail for three months in the event of arrest or surrender before the learned Court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM IV, Darbhanga in connection with Singhwara P.S. Case No. 125 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional anticipatory bail of the petitioner will be confirmed by the learned court below if on verification it is found that the informant side has not received any grievous injury and in case the informant side found to have received any grievous injury

then the petitioners will surrender and pray for bail.



(Dinesh Kumar Singh, J)