

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47942 of 2016

Arising Out of PS.Case No. -244 Year- 2016 Thana -BIRaul District- DARBHANGA

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Om Prakash Jha son of Raghvendra Kumar Jha, resident of village Neori,
P.S. Biraul, Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shama Sinha

For the Opposite Party/s : Mr. Sri Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 20-12-2016 Heard the counsel for the petitioner and Mr. Dayal, APP
for the State.

A supplementary affidavit is filed.

Apprehending his arrest in Biraul P.S. Case No. 244 of
2016 registered under section 307 IPC, the petitioner has filed the
present application for grant of anticipatory bail.

The informant has alleged that the petitioner tried to inflict
injury with knife in his head which was warded off and ultimately
caused injury on his hand.

Counsel for the petitioner with reference to the injury
report issued by the Darbhanga Medical College and Hospital
submits that although it supports the case but opined the injury
caused to the informant not serious in nature. It is submitted that
the petitioner had filed an application under the RTI Act against



the informant who was functioning as the Extra Department Employee of the Postal Department for having indulged in embezzlement of the funds under the MANREGA. Aggrieved thereby, the present informant had earlier filed a case against the petitioner which, in course of investigation, was found a malafide prosecution. It is stated that the petitioner has no criminal antecedents.

Considering the above, let the petitioner named above, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Darbhanga in Biraul P.S. Case No. 244 of 2016 on condition that one of the bailors of the petitioner shall be his own/close family member. In the event of framing of charge, the petitioner shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall have liberty to cancel his bail bonds and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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