

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50612 of 2016

Arising Out of PS.Case No. -190 Year- 2016 Thana -KUSHESHWARSTHAN District-
DARBHANGA

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1. Shivanand Jha, son of late Hari Jha	
2. Krishna Kumar Jha @ Krishna Jha, son of Shivanand Jha	
3. Murari Jha	
4. Ajit Jha, both sons of Arvind Jha, all residents of village Harinagar, P.S. Kusheshwar Asthan, district Darbhanga	 Petitioners
Versus	
The State of Bihar	 Opposite Party

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Appearance :

For the Petitioners : Mr. Amish Kumar, Adv.
For the Opposite Party : Mr. Panchanand Pandit, APP 115

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 23-11-2016 Heard the learned counsel for the petitioners and the
State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code.

For land dispute, the petitioners who are agnates of the informant allegedly committed assault. Specific allegation of commission of injury on the head of the informant, with iron rod, is against Krishna Kumar Jha, who is wrongly mentioned as Sharavan Jha. Co-accused, Kailash Jha is alleged to have caused injury on the head of Munna. There is case and counter case and the injury report, in respect of the informant, reveals that the doctor has found lacerated wound on the scalp caused by hard and blunt substance.

Considering the fact that petitioner no. 2, Krishna Kumar Jha, had knowledge that his act may cause death, I am not inclined to enlarge him on anticipatory bail. Accordingly, his prayer for anticipatory bail is rejected.

The allegation against other petitioners, namely, Shivanand Jha, Murari Jha and Ajit Jha, is general and omni bus, hence, in the event of their arrest or surrender, within four weeks from the date of receipt of this order, they be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Kusheshwar Asthan P.S. Case No. 190 of 2016 to the satisfaction of the Additional Chief Judicial Magistrate, Biroul Benipur, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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