

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52561 of 2015

Arising out of PS.Case No. -257 Year- 2015 Thana -TAJPUR District- SAMASTIPUR

Naresh Jha, Son of Late Mahendra Nath Jha, resident of Village - Mujauna,
P.S. - Tajpur Bainsi, District - Samastipur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Bijay Bhushan Prasad, Advocate.

For the Opposite Party : Mr. Awadhesh Kumar Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Tajpur P.S. Case No. 257 of 2015 for the offences instituted
under Sections 341, 323, 324, 325, 326, 307/34 of the IPC and 27
of the Arms Act.

The prosecution story, in brief, is that while the
informant was going towards his field through *Darwaza* of the
accused Naresh Jha and as soon as he reached at *Darwaza* of
Naresh Jha where in planned manner, his limbs were caught hold
by accused Amit Jha, Sumit Jha and Deepak Jha thereafter it is
alleged that accused Rishikesh Jha with swords in his hand
attacked on the informant caused cut injury in his neck, thereafter



accused Naresh Jha, petitioner with *Khukhari* attacked upon him twice on his head caused cut injury in his head. It is further alleged that on order of accused Naresh Jha accused Amit Jha resorted to fire upon the informant with pistol but fortunately he received no fire arm injury, on hulla the nearby people gathered there and saved life of the informant thereafter he was brought at Nursing Home for his treatment where treatment is going on. It is further stated that while explaining the genesis the informant has said that this occurrence has been committed by the petitioner and other to put pressure to compromise the earlier case.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is a case and counter case. The informant side is aggressor. There is an admitted land dispute between the parties. 107 Cr. P.C. proceeding had also been initiated between the parties. Hence, the petitioner has falsely been implicated in the present case.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Tajpur P.S. Case No.

257/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Samastipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)