

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42265 of 2016

Arising Out of PS.Case No. -90 Year- 2016 Thana -GHANSHYAMPUR District- DARBHANGA

1. MADHESH KUMAR JHA @ MAHESH KUMAR JHA
2. Varun Kumar Jha
3. Indra Kumar Jha All are s/o late Krishnadev Jha
All are R/V - Ufaraul, P.S. - Ghanshyampur, District -
Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Rajendra Prasad Nat

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER**

2 05-10-2016 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Ghanshyampur Police Station Case No. 90 of
2016, disclosing offences under Sections 341/342/323/324/
307/379/504/34 of the Indian Penal Code.

It is alleged in the First Information Report that
the accused persons were attempting to take away the
informant's tractor without his permission and on being
objected to, they abused and assaulted the informant. It is
alleged against petitioner nos. 1 and 2 that they assaulted
the informant with iron-rod; whereas, petitioner no. 3 and

others assaulted him with fists and slaps.

Learned Counsel appearing on behalf of the petitioners has submitted that no offence under Section 307 of the Indian Penal Code is made out on the basis of what has been alleged in the First Information Report. He has submitted that the petitioners have no criminal antecedent.

Considering the above submissions, this application is allowed.

Let the petitioners, namely, Madhesh Kumar Jha @ Mahesh Kumar Jha, Varun Kumar Jha and Indra Kumar Jha, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Benipur, Darbhanga, in connection with Ghanshyampur Police Station Case No. 90 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds

shall be liable to be cancelled.



(Chakradhari Sharan Singh, J.)