

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48735 of 2015

Arising Out of PS.Case No. -256 Year- 2014 Thana -BAHERA District- DARBHANGA

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1. Prakash Jha S/o Thakko Jha @ Rudra Kant Jha
 2. Mohan Jha @ Grih Nath Jha, S/o Thakko Jha @ Rudra Kant Jha
 3. Nunu Jha S/o Thakko Jha @ Rudra Kant Jha Petitioner No. 1 to 3 residents of Village- Rasidpur, P.S.- Bahera, District- Darbhanga
 4. Sanjay Jha, S/o Late Mahendra Jha, resident of village- Shankarpur, P.S.- Bahera, District- Darbhanga
 5. Uma Nath Jha, S/o Late Lutan Jha, Resident of village- Rasidpur, P.S. Bahera, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Shashi Shekhar Kishore
For the Opposite Party/s : Mr. Ram Shankar Das(Spl.App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-02-2016 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in connection with Bahera P.S.Case No. 256 of 2014 instituted under Sections 143, 447, 341, 323, 504, 365, 380 and 436 of the Indian Penal Code and Section 3(i)(x) SC/ST Act.

The allegation against the petitioners is that they entered into the house of the informant(Chanda Devi) and started to destroy the house of the informant and looted the house hold articles. On protest they assaulted them even in the position of pregnancy of the informant.

It has been submitted on behalf of the petitioners that the

petitioners have got no criminal antecedent. As per FIR the husband of the informant is also an eye witness to the entire occurrence but in his statement in para 28 of the case diary recorded under Section 164 Cr.P.C. he has denied the entire allegation as stated in the FIR. It is further submitted that Title Suit No. 100 of 2015 is also pending in the court below between the petitioners and the informant.

On behalf of the State, it is submitted that the petitioners are named in the FIR.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Benipur at Darbhanga in connection with Bahera P.S.Case No. 256 of 2014, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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