

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.13530 of 2017**

Arising Out of PS.Case No. -5 Year- 2017 Thana -RAHIKA District- MADHUBANI

- =====
1. Baidya Nath Jha son of Late Liladhar Jha
  2. Rajendra Jha son of Late Kalikant Jha
  3. Satrugan Jha @ Satmghan Choudhary son of Late Hari Kant Choudhary.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Sri Amrendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**  
**ORAL ORDER**

2      08-05-2017                      Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in Rahika P.S. Case No.05/17 registered under Sections 504, 506, 341, 324, 307, 379, 34 of the Indian Penal Code.

Accusation of the informant Shambhu Nath Jha is that on 13.12.2016 when Sita Devi wife of Late Lekhan Choudhary, villager of the informant, fell ill the informant accompanied Dr.Pawan Thakur for her treatment. Then one villager of the informant Jiwan Jha made protest saying not to provide treatment to Sita Devi and he also hurled abuses. It is further alleged that usually the petitioners used to instigate co-accused Jivan Jha to abuse and assault the informant. On



18.12.2016 in the morning at 7 A.M. all of a sudden Jeevan Jha came to the informant and gave him several knife blows to the informant causing various injuries on his right and left shoulders and below of both eyes. The informant after sustaining multiple injuries fell on the ground and became unconscious.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that assailant is Jeevan Jha not the petitioners. The allegation against the petitioners is that they instigated co-accused Jiwan Jha when he was abusing the informant and Dr.Pawan Thakur. The petitioners have no criminal antecedent.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the A.C.J.M. 1<sup>st</sup>, Madhubani, in Rahika P.S. Case No.5/17 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

**(Rajendra Kumar Mishra, J)**

AnilKrSinha/-

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