

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31322 of 2017

Arising Out of PS.Case No. -89 Year- 2017 Thana -SIKTI District- ARRARIA

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1. Lal Jha, son of Jai Krishna Jha
 2. Prakash Jha, son of Lal Jha
 3. Gopal Jha son of Lal Jha
 4. Rajesh Jha son of late Narayan Jha
 5. Abdhesh Jha @ Awdhesh Kumar Jha son of Late Narayan Jha
 6. Niraj Kumar Jha son of Basukinath Jha
 7. Dhiraj Jha @ Dhiraj Kr. Jha
 8. Basukinath Jha son of Ram Krishna Jha
 9. Phul Jha son of late Nityanand Jha
 10. Shyamanand Jha @ Pappu Jha son of Phul Jha
 11. Santosh Jha son of Phul Jha
 12. Dinesh Jha son of late Babu Jha, all resident of village- Belbedi, P.S. –
Sixty (Bardaha), District-Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 13-07-2017 Heard learned counsel for the petitioners, State and
counsel appearing on behalf of the informant.

The petitioners are apprehending arrest in connection
with Sikty (Bardaha) P.S. Case No. 89 of 2017 for the offence
under sections 324, 307, 379, 504, 326 and 506 of the Indian Penal
Code.

Counsel for the petitioners submits that petitioners
and informant are Gotias. There is case and counter case and at
the relevant time there was a Panchayati for resolving the dispute



between the informant and petitioners side.

Having regard to the dispute between the parties which led convening of a Panchayat, counsel for the petitioner submits that petitioners may be enlarged on anticipatory bail. Counsel appearing on behalf of the informant vehemently opposed the prayer for bail. Further counsel appearing on behalf of the informant admits that the petitioners and informant are Gotias and there is case and counter case

In view of the fact that the petitioners and informant are Gotias and there is case and counter case between the informant and the petitioners and also considering the fact that earlier effort was made to resolve the dispute between the parties by convening a Panchayat which failed. In order to encourage the parties to resolve the dispute and to reduce bitterness between the petitioners and the informant, it is advisable that counsel for the petitioner and informant will advise their respective clients to settle the controversy.

Counsel for the petitioners referred to paragraph 14 of the petition to suggest that petitioner no.5 is physically handicapped.

In the peculiar facts and circumstances of the case, I am inclined to enlarge the petitioners, named above, on bail in the



event of surrender or arrest before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri S.K. Sharma, learned Judicial Magistrate 1st Class, Araria, in connection with Sikti (Bardaha) P.S. Case No. 89 of 2017, G.R. No. 1254 of 2017, subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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