

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10920 of 2017

Arising Out of PS.Case No. -149 Year- 2016 Thana -LAKHNANUR District- MADHUBANI

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1. Hemant Jha, son of Late Budhi Nath Jha,
2. Shankar Jha, son of Late Bhogi Jha,
3. Pappu Kumar @ Pappu Kunwar, son of Lal Kunwar,
4. Tarak Nath Singh, son of Late Ram Nandan Singh,
5. Gopal Kamat, son of Madan Kamat,
6. Sachchida Nand Singh @ Sachida Nand Singh, son of Chanar Singh,
7. Mukta Nand Jha, son of Late Dukhi Jha,
8. Mannu Jha @ Munna Jha, son of Late Jibu Jha,
9. Sagar Kumar Jha @ Sagar Jha, son of Lallan Jha,
10. Sanjay Murari, son of Mohan Jha,
11. Prem Mishra, son of Shila Kant Mishra,
12. Tantan Jha, son of Ganesh Jha, All resident of Village- Lakhanaur, P.S.- Lakhanaur, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 01-05-2017

Heard both sides.

The petitioners apprehend their arrest in Lakhanaur P.S. Case No. 149/2016, registered for the offences punishable under Sections 323, 333, 353 and other sections of the Indian Penal Code.

The informant Electrical Assistant Engineer, Electric Supply Sub-division Jhanjharpur alleged that on account of non-supply of electricity the villagers blocked the road near Durga



Mandir, Lakhnaur. The informant, the Block Development Officer, Lakhnaur, the Circle Officer, Lakhnaur reached there where the S.H.O., Lakhnaur with other police officials were present from before. While the informant was trying to redress the problem of the villagers, the petitioners and others assaulted the informant with fists and slaps and took out the chip of video camera and damaged the same because there was video-graphing of the entire episode.

Learned counsel for the petitioners submits that the allegation of assault is against Hemant Jha, Munna Jha and Md. Raji Ahmed and not against the petitioners no. 2, 3, 4, 5, 6, 7, 9, 10, 11 and 12, but it appears from perusal of the F.I.R. as well as the case diary that the petitioners blocked the road due to non-supply of electricity. The informant and other officials were there. There was video-recording of the entire episode, but the petitioners and others assaulted the informant with fists and slaps and also snatched camera. The witnesses have also stated the same facts.

Considering the facts aforesaid and nature of allegation made against the petitioners and the fact that they assaulted the Electrical Engineer while he was trying to redress the grievance of the villagers, I am not inclined to enlarge the



petitioners above-named on anticipatory bail. Accordingly, the same is rejected.

If the petitioners surrender in the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, learned court below shall consider the prayer for regular bail of the petitioners on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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