

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13080 of 2017

Arising Out of PS.Case No. -63 Year- 2013 Thana -JALEY District- DARBHANGA

- =====
1. Kanhai Thakur @ Kanhaiya Thakur, Son of Late Uday Chandra Thakur, resident of Village- Massa, P.S.- Jalley, District- Darbhanga.
 2. Bijay Kumar Jha @ Bikay Jha @ Vijay Kumar Jha @ Viky Jha, Son of Sri Uday Chandra Thakur @ Sri Ramesh Jha, Permanent resident of Village- Savas, P.S.- Gayghat, District- Muzaffarpur, presently residing at Village- Massa, P.S. Jalley, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 13, Advocate on Record
Mr. Rohit Kumar, Advocate.
Mrs. Kanchan Jha, Advocate.

For the Opposite Party/s : Smt. Meena Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-03-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Jalley P.S.

Case No. 63 of 2013 instituted for the offence under Sections 341,

323, 324, 307 and 504/34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that

there is allegation against the petitioner No. 1 of giving farsa

blow on the head of the informant. There is no specific allegation

against the petitioner No. 2.

From the impugned order it appears that police after

investigation has submitted charge sheet against the accused



persons under Sections 341, 323 and 504/34 of the Indian Penal Code. The learned Magistrate has taken cognizance under Section 307 of the Indian Penal Code.

The injury report of the informant has been annexed as Annexure-7 wherein doctor has found one lacerated wound over right side of temporal region which was simple in nature caused by hard and blunt substance. From the written report itself it appears that there is land dispute between the parties. It is mentioned in paragraph-3 of the bail petition that the petitioners have clean antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Jalley P.S. Case No. 63 of 2013, they shall be released on anticipatory 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 Chief Judicial Magistrate, Darbhanga, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

(Sanjay Priya, J)

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