

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51990 of 2017

Arising Out of PS.Case No. -358 Year- 2017 Thana -LAHERIASARAI District- DARBHANGA

Ashish Narayan Jha, S/o Shree Narayan Jha, R/o Mohalla- Balbhadrapur,
East of N.P. Mishra Chouk, P.O.& P.S.- Laheriasarai, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.52042 of 2017

Arising Out of PS.Case No. -358 Year- 2017 Thana -LAHERIASARAI District- DARBHANGA

1. Manish Narayan @ Manish Narayan Jha, son of Shree Narayan Jha.
2. Shree Narayan Jha, son of late Hari Narayan Jha, permanent resident of Mohalla Balbhadrapur, East of N.P. Mishra Chouk, P.O & P.S. Laheriasarai, Distt. Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.51990 of 2017)

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate.

For the informant : Mr. Vijay Kumar, Advocate,
Mr. Mohit Shrivastava, Advocate.

For the State : Smt Indu Kumari Srivastava, A.P.P.

(In Cr.Misc. No.52042 of 2017)

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate.

For the informant : Mr. Vijay Kumar, Advocate,
Mr. Mohit Shrivastava, Advocate.

For the Opposite Party/s : Mr. Indra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioners, learned
counsel for the informant and learned counsel for the State.

The petitioners apprehend their arrest in **Laheriasarai**



P.S. Case No. 358 of 2017 instituted for the offence under Sections 341, 342, 323, 504, 506, 354, 385, 195(A), 327 and 307/34 of the Indian Penal Code.

It is alleged in the written report that on 8.9.2017, she along with her mother and some witnesses have been assaulted by these petitioners for withdrawal of case instituted by her vide Laheriasarai P.S. Case No. 40 of 2014.

Learned counsel for the petitioners has submitted that several litigations are pending between the parties. The informant has filed Laheriasarai P.S. Case No. 40 of 2014 against the in-laws which is at the stage of evidence in which the next date was fixed on 13.09.2017. Learned counsel has further submitted that petitioner No. 1 of Cr. Misc. No. 51990 of 2017 has filed Divorce Case against the informant vide Divorce Case No. 61 of 2014 and in retaliation thereto, Laheriasarai P.S. Case No. 40 of 2014 has been lodged by the informant. The instant case has been filed only to harass these petitioners.

Learned counsel for the informant has appeared and opposed the prayer for anticipatory bail.

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 **Laheriasarai P.S. Case No. 358 of 2017**, 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. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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