

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37803 of 2018

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Raju Jha, Son of Late Babu Lal Panday, Resident of Sonu Bigha, P.S.-
Nawada (Town), District- Nawada.

.... Petitioner/s

Versus

The State of Bihar. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 03-07-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections 341,
323, 448, 307, 379, 504 and 354A/34 of the Indian Penal Code.

The prosecution case as per the written report
of Babita Devi submitted to the Station House Officer,
Kadirganj P.S. is to the effect that on 31.08.2017 at 8.00 A.M.
the neighbours, i.e., petitioner Raju Jha, co-accused Rabil
Kumar, Ratilata Devi, Raushan Kumar and Lavli Kumari came
variously armed and started abusing the informant. It is
specifically alleged that co-accused Rabil Kumar assaulted the
informant with knife while the petitioner assaulted with Khanti
on the head of the informant causing cut injury, Raushan Kumar



assaulted with rod, whereas Ratilata Devi and Lavli Kumari took out Rs.25,000/- and jewellery kept in a box in the house of the informant.

It is submitted by learned counsel for the petitioner that for the occurrence of 31.08.2017 the FIR was registered on 03.09.2017. The doctor has found only one injury on the informant i.e. $\frac{1}{2}$ " x $\frac{1}{4}$ ", though the final opinion was awaited till availability of the CT scan report but the injury report negates the accusation of making assault with knife by Rabil Kumar. The petitioner was on inimical terms with the informant, as the informant and her husband had killed the mother of the petitioner leading to registration of Nawada Town P.S. Case No. 71 of 2017 under Section 302/34 of the Indian Penal Code and Title Suit No. 368 of 2016 is going on between the parties and in the said background the present case has been registered. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP, however, submits that the petitioner is named in the FIR with specific accusation.

Considering the nature of accusation when there is no accusation of repeating the blow, moreover, the case lodged by the petitioner side was at an earlier point of time against the



informant and others, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nawada Town P.S. Case No. 595 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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