

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61536 of 2018

Arising Out of PS. Case No.-43 Year-2018 Thana- SHRI NAGAR District- Madhepura

Gunjesh Jha S/o Bijendra Jha, Resident of Village - Bela Sadi, P.S. -Srinagar,
Dist. - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra

For the Opposite Party/s : Mr. Kumar Virendra Narayan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 20-12-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 427, 504 and 506/34 of the Indian Penal Code.

Petitioner Gunjesh Jha allegedly assaulted with *Dabia* causing injury at the head of the informant.

Learned counsel for the petitioner submits that there is no allegation of repetition of blow. The Doctor has found simple head injury. The wife of the informant has stated before the police that Kartik Jha had caused injury at the head of her husband and she has not stated that the petitioner had caused head injury, as such, there is serious contradiction in the prosecution evidence.

Learned counsel for the informant submits that on the



same very material all other accused including Kartik Jha have already been allowed anticipatory bail by the learned court below considering the fact that the informant has alleged against the petitioner.

Since the petitioner had knowledge that his act might cause death, I am not inclined to enlarge the petitioner on anticipatory bail in connection with Srinagar Police Station Case No. 43 of 2018 pending in the court of learned Chief Judicial Magistrate, Madhepura.

However, in the event of surrender of the petitioner, the prayer for regular bail shall be considered without being prejudiced by this order.

(Birendra Kumar, J)

Kundan/Banti

U		T	
---	--	---	--

