

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9576 of 2019**

Arising Out of PS. Case No.-121 Year-2018 Thana- BASANHI District- Saharsa

1. Bidyanand Jha, Son of Dinesh Jha Resident of Village - Gauari, ward No. 01, P.S.- Basnahi, District - Saharsa.
2. Ajay Jha @ Pappu Jha Son of Late Jaynarayan Jha Resident of Village - Gauari, ward No. 01, P.S.- Basnahi, District - Saharsa.

... .. Petitioners

Versus

The State of Bihar Bihar

... .. Opposite Party

**Appearance :**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| For the Petitioner/s     | : | Mr.Pramod Mishra, Advocate,    |
| For the informant        | : | Mr. Mritunjay Kumar, Advocate, |
| For the Opposite Party/s | : | Mr.Raj Kishore Singh, APP      |

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA**

ORAL ORDER

4      09-05-2019                      Heard learned counsel for the petitioners, learned counsel appearing on behalf of informant, and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Basnahi P.S. Case no. 121 of 2018, registered under Sections 341, 323, 379, 324, 307, 504 and 506/34 of the Indian Penal Code.

The accusation is that while informant Om Prakash Jha was returning with cash of Rs. 21,000/- after selling the paddy to the businessman, in the way, petitioner Bidyanand Jha (petitioner No.1) met him and asked to give half produce of the field to Rohit, which is on mortgage. Thereafter,



he started abusing and caused assault through Kachiya (sharp cutting weapon) and petitioner No.2 Ajay Jha also caused injury through Garasa at his head and Raghunandan Jha and Gopi Jha also caused injury through butt of pistol and iron rod. At that time, Raghunandan Jha took his golden ring and Ajay Jha snatched his golden chain.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that there is specific allegation against the petitioners to cause injury by means of Garasa to the head of informant, but the injuries as found on the person of the informant are of bruise and abrasion caused by hard and blunt substance. Further submission is that snatching of golden chain and ring worth of Rs. 21,000/- by the petitioners from the neck of informant is super addition only to make the case non-bailable. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa in connection with Basnahi P.S. Case No. 121 of 2018,



subject to the condition as laid down under Section 438 (2) of  
the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

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