

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17224 of 2019

Arising Out of PS. Case No.-657 Year-2018 Thana- BANKA District- Banka *

Shyama Nand Jha, Son of Late Suresh Chandra Jha, Resident of Village-
Lakhnauri, at present Village- Jagatpur, Nayatola, Both P.S. and District-
Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Adv.

For the Opposite Party/s : Mr.Md. Fahumuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-03-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner is seeking anticipatory bail in connection
with Banka P.S. Case No. 657 of 2018 registered for the
offences punishable under Sections 147, 149, 323, 379, 307,
341, 385 and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that over a
dispute with respect to registration of a piece of land in the
alleged occurrence the allegation against the petitioner is that he
had thrown a brick on the head of the informant with an
intention to kill which has resulted in head injury. Learned
counsel submits that even if the allegation is to be taken as a
case it is apparent that the petitioner has not used deadly
weapon and he had not gone to the place of informant with any



intention to kill rather at the spur of the moment it appears that some altercation took place in which the petitioner threw a brick which hit the informant, however, injury caused is simple in nature.

Learned APP for the State is present and has opposed the prayer for bail.

Considering the facts and circumstances of the case, the nature of dispute in which the alleged occurrence took place and further that the petitioner was not armed with any deadly weapon, has no criminal antecedent and the injury is said to be simple in nature, in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner shall be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Banka in connection with Banka P.S. Case No. 657 of 2018, subject to the condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

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