

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20212 of 2019

Arising Out of PS. Case No.-264 Year-2016 Thana- BISFI District- Madhubani

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Sita Ram Jha @ Sita Ram, Son of Pitambar Jha, Resident of Village - Dulaha,
P.S.- Bisfi, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-04-2019 Heard learned Counsels for the petitioner and
learned APP for the State.

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

The prosecution case as per the written report of Nirmal
Kumar Jha submitted to SHO, Bisfi Police Station is to the
effect that on 29.12.2016 at 10.00 P.M., the informant was
constructing hutment on his land, when all the accused persons
including the petitioner came and started abusing the informant.
On protest being made, petitioner caught hold of the hair of his



mother and assaulted her with slaps, when the informant went to her rescue, he was also assaulted with slaps by the petitioner.

It is submitted by learned counsel for the petitioner that the impugned order suggests that the injuries caused to the mother of the informant have been found simple in nature. It is further submitted that the accusation has been levelled in the background of land dispute with regard to construction of hutment on the land in question. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the accusation against the petitioner is specific and he is named in the FIR.

Considering the fact that the accusation against the petitioner has been levelled in the background of land dispute and injuries has not been corroborated by the medical opinion, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, 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 12 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 learned **ACJM, Benipatti, Madhubani** in connection with **Bisfi P.S. Case No.264 of 2016**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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