

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20597 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- BHARGAMA District- Araria

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1. Umesh Jha son of Late Tej Narayan Jha, resident of village-Adi Rampur, P.S.-Bhargama, District-Araria.
 2. Rajiv Jha @ Rajiv Kumar Jha, son of Umesh Jha, resident of village-Adi Rampur, P.S.-Bhargama, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-04-2019 Heard both sides.

The petitioners apprehend their arrest in Bhargama P.S. Case No.06 of 2019 registered under Sections 341, 323, 327, 307, 354(B), 379, 504, 506 and 34 of the Indian Penal Code.

The informant alleged that while he was sowing wheat in his field, the petitioners and other accused person came there and Sanjeev Jha on the order of Umesh Jha assaulted the informant with iron rod on his head. When the mother of the informant came to save the informant, Rajiv Jha (petitioner no.2) and Umesh Jha (petitioner no.1) are alleged to have assaulted her with stick. It is further alleged that when wife of informant came to save, Rajiv Jha (petitioner no.2) caught her



hand and Sanjeev Jha assaulted her with fists and slaps and snatched her ornaments.

Learned counsel for the petitioners submits that there is bonafide land dispute. The petitioners are alleged to have assaulted Dewaki Devi (mother of informant) but from perusal of injury report of Dewaki Devi, it would appear that Dewaki Devi did not sustain any injury over her body.

Having considered the facts that the petitioners are assailants of mother of the informant but the mother of the informant did not receive any injury and the dispute arose due to land dispute, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Araria in connection with Bhargama P.S. Case No.06 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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