

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42556 of 2019

Arising Out of PS. Case No.-61 Year-2018 Thana- SHAMBHUGANJ District- Banka

1. AMIT JHA @ AMIT KUMAR Son of Nishikant Jha Resident of Village-Badi Khajuri, Ramchua, P.S-Shambhuganj, District-Banka.
2. Sumit Jha @ Sumit Kumar Jha Son of Nishikant Jha Resident of Village-Badi Khajuri, Ramchua, P.S-Shambhuganj, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 10-07-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Shambhuganj P.S. Case No.61 of 2018/G.R. No.1109 of 2018 registered under Sections 147, 148, 149, 341, 323, 307 , 504 and, later on, added Section 302 of the Indian Penal Code, pending in the court of the Sub Divisional Judicial Magistrate, Banka.

The accusation is that in the morning of 04.04.2018, the informant went to the house of his neighbour Vijay Jha to ask as to why they used to urinate in the lane situated in front of his house, on which 11 persons, named in the F.I.R. including the petitioners started to cause assault to him through rod and lathi, due to which he fell down after sustaining injury. When Shanti Devi and Vandana



Devi, the aunt and wife of the informant, rushed to save the informant, then all the aforesaid persons committed “Maar-Peet” with them due to which both fell down. Later on, Shanti Devi, the aunt of the informant, died in course of treatment in the hospital.

Learned counsel appearing on behalf of the petitioners submits that both the petitioners are students and have no criminal antecedents. Further submission is that there is general and omnibus allegation against the petitioners to cause injury to the informant, his aunt and wife.

Having considered the facts and the circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant anticipatory bail to the petitioners. Accordingly, the prayer of the petitioners for grant of anticipatory bail stands rejected. However, the petitioners are directed to surrender before the trial court within four weeks from today and pray for regular bail, which shall be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

P.S./-

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

