

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47936 of 2019

Arising Out of PS. Case No.-75 Year-2019 Thana- BIRAUL District- Darbhanga

CHANDAN JHA @ CHANDAN KUMAR JHA, Son of Deo Chandra Jha,
Resident of Village- Baraidih, P.S.- Biraul, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 380 and 504 of the Indian Penal Code.

It is alleged that in the background of a dispute with regard to construction over a land co-accused, Shyambali Jha assaulted on the head of the informant with a farsa, when son of the informant Kashi Nath Jha came to rescue her, the co-accused, Udai and Parsuram assaulted him with lathi while other accused persons assaulted them with fists and slaps. The accused persons also alleged have assaulted the daughter-in-law of the informant and her grand-son. It is further alleged that the accused took away jewellery worth Rupees One Lac and cash amount of



Rs.30,000/- from the house of the informant.

It is submitted by learned counsel for the petitioner that the accusation of assault is not specific against the petitioner and only one injury has been found caused, which is alleged to have been caused by co-accused Shyambali Jha. There is a counter version of the occurrence also being Biraul P.S. Case No.62 of 2019 lodged by the co-accused Udai Chandra Jha levelling accusation under Sections 147, 148, 149, 341, 323, 324, 379 and 504 of the I.P.C. 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 petitioner is named in the FIR with specific accusation.

Considering the fact that specific accusation of assault is against co-accused, Shyambali Jha coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioners 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, Biraul, Darbhanga, in



connection with Biraul P.S. Case No.75 of 2019, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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