

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51679 of 2019

Arising Out of PS. Case No.-84 Year-2019 Thana- LAKHNAUR District- Madhubani

TIRTHNATH JHA Son of Late Tuna Jha Resident of Village - Laufa, P.S.-
Lakhnaur, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mithilesh Kumar Upadhyay

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-08-2019 The petitioner apprehends his arrest in connection with
Lakhnaur P. S. Case No. 84 of 2019 registered under Sections
147, 307, 323, 324, 341, 379 and 504/34 of the Indian Penal
Code.

Allegation against the petitioner is that petitioner along
with other co-accused persons assaulted the informant. It has
further been alleged that petitioner assaulted the informant by
means of iron rod.

Learned counsel appearing on behalf of the petitioner
submits that petitioner has falsely been implicated in this case
based upon a delayed FIR inasmuch as from perusal of
FIR, it is evident that incident has taken place on 23.03.2019
whereas FIR was lodged after delay of four days i.e., on
27.03.2019. Learned counsel further submits that both parties



are co-sharer and there is land dispute between them. Learned counsel, relying upon Annexure-2, which is injury report of the informant, submits that injury caused to the informant is simple in nature.

After having heard learned counsel for the parties and taking into consideration the fact that injury caused to the informant is simple in nature and both parties are co-sharer and there is delay in lodging the FIR, as such I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned ACJM 1st, Jhanjharpur, Madhubani in connection with Lakhanour P. S. Case No. 84 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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