

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 52820 of 2019

Arising Out of PS. Case No.-313 Year-2015 Thana- PARBATTa District- Khagaria

1. Ankesh Kumar @ Ankesh Kumar Jha, Son of Parshuram Jha Resident of Village- Kawela, P.S.- Parbatta, District- Khagaria.
2. Parshuram Jha, Son of Late Lakhi Jha Resident of Village- Kawela, P.S.- Parbatta, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 26-08-2019 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Parbatta P.S. Case no. 313 of 2015, registered under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code, pending in Court of A.C.J.M-I, Khagaria.

The accusation is that on 04.10.2018 informant Munchun Kumar was at his house, in the meantime, petitioner No.1 Ankesh Kumar @ Ankesh Kumar Jha came and started to abuse Chhotu Kumar younger brother of the informant. Thereafter, informant and his uncle Niranjan Jha went there and made protest then petitioners came there and on the order of petitioner No.2, petitioner No.1 gave rod blow on the back of uncle of informant as a result of which he fell down. Thereafter, petitioner No.1 gave spade blow at the head of



Niranjan Jha, who sustained grievous injury and rushed for treatment.

Learned counsel for the petitioners submits that there is specific allegation of causing injury to the uncle of informant is against petitioner No.1. Further submission is that at the time of occurrence, petitioner no.2 was present there.

Having regard to the facts and circumstances of the case, the petitioner 2, namely, Parshuram Jha is directed to be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four 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 A.C.J.M-I, Khagaria in connection with Parbatta P.S. Case No. 313 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

So far as bail prayer of petitioner No.1 Ankesh Kumar @ Ankesh Kumar Jha is concerned, considering the facts and circumstances of the case and the nature of allegation against him, I am not inclined to grant anticipatory bail to the petitioner No. 1 Ankesh Kumar @ Ankesh Kumar Jha. Accordingly, his prayer for grant of anticipatory bail stands rejected.

(Rajendra Kumar Mishra, J)

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