

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.55861 of 2019

Arising Out of PS. Case No.-244 Year-2019 Thana- SUPAUL District- Supaul

SHIV BHUSHAN JHA @ PADMANAND JHA, aged about 52, years, Male,
Son of late Sukhdeo Jha, Resident of Village and Post - Barail, Ward No. 2,
P.S. and Distt – Supaul ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Kumar Ravi Shankar, Adv.
For the Opposite Party : Mr. Nitya Nand Tiwary, APP

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

ORAL ORDER

2 03-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Supaul P.S. Case No. 244 of 2019 for the offences alleged under
Sections 341, 323, 325, 354B and 379/34 of the Indian Penal Code.

The accusation is that six persons, named in the first
information report, including the petitioner, entered in the house of the
informant, Jawahar Jha, in the morning of 07.04.2019, and started to
cause assault to his wife, in the meantime, petitioner unfolded saree of
the wife, thereafter, Suryamani Jha and Chandramani Jha caused
assault by iron rod to her, Vibha Devi and Phool Devi snatched the ear-
rings from the ear of his wife and took the paper of land, cash of
Rs.16,000/- and some jewellery. Shiv Bhushan Jha (petitioner) and
Shashi Bhushan Jha also caused injury to the informant and took cash
of Rs.4,000/- and mobile of his wife.

In fact, the informant and other accused named in the first
information report are gotia with each other and due to erection of wall
by the informant dispute occurred, but, with ulterior motive, the



present case has been filed. Co-accused has also filed Complaint Case No. 278 of 2019 on 09.04.2019 in which informant of the present case and others are accused for the offences under Sections 147, 148, 323, 427, 452, 380, 379 and 504 of the Indian Penal Code. Petitioner has no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Supaul P.S. Case No. 244 of 2019 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Supaul, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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