

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55412 of 2019

Arising Out of PS. Case No.-187 Year-2019 Thana- BIHPUR District- Bhagalpur

1. DEEPAK JHA Son of Late Raghu Jha Resident of Village - Bhramarpur, P.S.- Bihpur, District- Bhagalpur
2. Navneet Kumar Jha Son of Sri Sunil Jha Resident of Village - Bhramarpur, P.S.- Bihpur, District- Bhagalpur
3. Chhotu @ Manoranjan Jha Son of Sri Awdhesh Jha Resident of Village - Bhramarpur, P.S.- Bihpur, District- Bhagalpur
4. Indu Kumar @ Indushekhar Jha Son of Sri Dhananjay Jha Resident of Village - Bhramarpur, P.S.- Bihpur, District- Bhagalpur
5. Navin Jha Son of Late Diwakar Jha Resident of Village - Bhramarpur, P.S.- Bihpur, District- Bhagalpur
6. Pawan Kumar Bhaskar @ Munchun Jha Son of Sri Bhagwan Jha Resident of Village - Bhramarpur, P.S.- Bihpur, District- Bhagalpur
7. Brajesh Jha Son of Sri Lalan Jha Resident of Village - Bhramarpur, P.S.- Bihpur, District- Bhagalpur
8. Thaneshwar Jha @ Tanay Jha @ Taneshwar Jha @ Thaneshwar Jha Son of Sri Lutti Jha Resident of Village - Bhramarpur, P.S.- Bihpur, District- Bhagalpur
9. Nitish Jha @ Nitish Kumar Jha Son of Sri Shushil Jha Resident of Village - Bhramarpur, P.S.- Bihpur, District- Bhagalpur
10. Dular Jha @ Rakesh Kumar Jha @ Dular Son of Sri Dharendra Jha @ Krishnanand Jha Resident of Village - Bhramarpur, P.S.- Bihpur, District- Bhagalpur
11. Mithilesh Jha @ Mithilesh Kumar Jha Son of Sri Dharendra Jha @ Krishnanand Jha Resident of Village - Bhramarpur, P.S.- Bihpur, District- Bhagalpur
12. Sonu Jha Son of Sri Hira Jha Resident of Village - Bhramarpur, P.S.- Bihpur, District- Bhagalpur
13. Bachchan Jha Son of Chhote Lal Jha Resident of Village - Bhramarpur, P.S.- Bihpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand
For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN



ORAL ORDER

2 02-09-2019 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 353, 504 and 188 of the Indian Penal Code and Section 5 of the Essential Service Maintenance Act, 1968 registered in connection with Bihpur P.S. Case No. 187 of 2019.

3. It is submitted that the petitioners have been falsely implicated and the FIR is against as many as 13 named and 100 unknown persons including the petitioners. The petitioners merely happened to be in the vicinity and the accusations are general and omnibus in nature without any specific accusation attributed to the petitioners. No injury has been caused to anyone. The petitioners are agnates of Vinay Kumar Jha whose daughter had died in an accident and in protest the villagers came on the road. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners' be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned 1st ACJM, Naugachhiya, Bhagalpur, in connection with Bihpur P.S. Case No. 187 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.



iv. The petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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