

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72308 of 2019**

Arising Out of PS. Case No.-579 Year-2018 Thana- SAKRA District- Muzaffarpur

1. Nilambar Jha @ Nilamber Jha Son of Laxmikant Jha Resident of Village - Ram Nagar, Post - Sakra, District - Muzaffarpur, Bihar.
2. Mahesh Kumar Jha @ Mahesh Jha Son of Satya Narayan Jha @ Sadan Jha Resident of Village - Ram Nagar, Post - Sakra, District - Muzaffarpur, Bihar.
3. Vijay Kumar Singh @ Vijay Singh Son of Nageshar Prasad Singh Resident of Village - Ram Nagar, Post - Sakra, District - Muzaffarpur, Bihar.
4. Daya Nath Jha @ Daya Nand Jha Son of Vishnukant Jha Resident of Village - Ram Nagar, Post - Sakra, District - Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Singh  
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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

ORAL ORDER

2      19-11-2019                      Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Sakra P.S. Case No. 579 of 2018 registered under Sections 147, 148, 149, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code.

The accusation is that nine persons named including the petitioners along with 20-25 unknown persons having variously armed with weapons at the door of Anil Mahto in the leadership of Vishwanath Singh who ordered to kill the



informant. Thereafter, Vijay Singh and Ravikant Jha folded gamchha around his neck and started dragging him and brought him towards Panchayat Bhawan where Vishwanath Singh started to cause assault after folding his hand and when Ram Naresh Mahto and Dinesh Kumar rushed to save him, they were also assaulted and at that time they snatched two mobiles, and gold chain .

Learned counsel for the petitioners submits that it would appear from the F.I.R. that no specific overt act has attributed against the petitioner. In fact, Ravinath Jha cousin of petitioner nos. 1, 2 and 4, has lodged Sakra P.S. Case No. 471 of 2018 under Sections 506, 366(A)/34 and 363 of the Indian Penal Code regarding the kidnapping of his daughter against the informant and his son, due to that reason the petitioners have falsely been implicated in this case. Petitioners no. 1, 2 have no criminal antecedent but the petitioner no. 3 is accused in one case as detailed in paragraph 3 which is instituted on behalf of the informant of this case.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-cum-Sub Judge 13<sup>th</sup> Muzaffarpur, in connection with Sakra P.S. Case No. 579 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

**(Rajendra Kumar Mishra, J)**

Rahul Mishra/-

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