

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60767 of 2019

Arising Out of PS. Case No.-75 Year-2019 Thana- BIRAUL District- Darbhanga

1. UDAI CHANDRA JHA @ BOTAL JHA Son of Late Bhola Jha
 2. Maha Shankar Jha S/o Shyam Bali Jha
 3. Parshuram Jha S/o Shyam Bali Jha
 4. Baua Ram Jha @ Ram Kumar Jha S/o Udai Chandra Jha
 5. Kamini Devi W/o Shyambali Jha
 6. Purnkala Devi W/o Udai Chandra Jha
- All Residents of Village- Baraidih, P.S.- Biraul, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sameer Ranjan
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-09-2019 The petitioners apprehend their arrest in connection with Biraul P. S. Case No. 75 of 2019 registered under Sections 147,148,149,307,323,324,341,380 and 504 of the Indian Penal Code.

Allegation against the petitioners, as per FIR, is that petitioner nos. 1 and 3 assaulted the son of the informant by means of lathi and other petitioners assaulted the informant by fist and slaps.

Learned counsel appearing on behalf of the petitioners submits that both parties are co-sharers and there is case and counter case in between the parties inasmuch as Biraul P.S. Case



No. 62 of 2019 was lodged by the side of the petitioners against the informant and others. He further submits that from perusal of injury report of the informant, it would be evident that the injury to the informant has been caused due to hard blunt substance whereas there is no allegation of assault upon the informant by these petitioners and there is land dispute between the parties.

Having regard to the submissions made by the parties and taking into consideration the fact that both parties are co-sharers and there is land dispute between them, as such I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, 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/- each with two sureties of the like amount each to the satisfaction of the learned ACJM, Biraul, Darbhanga in connection with Biraul P.S. Case No. 75 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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