

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77358 of 2019

Arising Out of PS. Case No.-381 Year-2012 Thana- BAHERA District- Darbhanga

1. RAMESHWAR JHA Son of Ghuran Jha Resident of Village - Kanthudih, P.S.- Bahera, Distt.- Darbhanga.
2. Jyoti Kumar Mishra @ Jyotish Kumar Mishra Son of Boua Narayan Mishra Resident of Village - Kanthudih, P.S.- Bahera, Distt.- Darbhanga.
3. Lalan Jha Son of Shyam Narayan Jha Resident of Village - Kanthudih, P.S.- Bahera, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Kumar II, Adv. Mr. Nilendu Kumar Choudhary
For the Opposite Party/s :		Mr.Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

2 28-11-2019 Heard learned counsel for the petitioners as well as
learned Additional P.P.

The petitioners apprehend their arrest in Bahera P.S. Case No. 381/2012, wherein cognizance has been taken of offences punishable under Sections 147, 149, 341, 342, 427 and 353 of the Indian Penal Code.

An auto-rickshaw met with an accident and, slackness at the end of the police have been perceived by the local inhabitants who, on account thereof, assembled and raised protest, and after having presence of police, they ransacked the vehicle, more particularly, two buses bearing Registration Nos.



BR 7P 2968, BR 7P 2969 whereupon, F.I.R. was registered against unknown. Case has been registered in the year 2012 and as is found from the certified copy of the order, cognizance has been taken, vide order dated 04.05.2019. Although, charge-sheet was submitted on 30.04.2018.

Accordingly, petitioners, Rameshwar Jha, Jyoti Kumar Mishra @ Jyotish Kumar Mishra and Lalan Jha, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Benipur, in connection with Bahera P.S. Case No. 381/2012, subject to outcome under *Sushila Aggarwal & Ors. Vs. State (NCT of Delhi) & Anr.*, which has been referred to Constitution Bench as has been reported in *(2018) 7 SCC731*.

(Aditya Kumar Trivedi, J)

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