

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71303 of 2018

Arising Out of PS. Case No.-95 Year-2017 Thana- BELSAND District- Sitamarhi

Harishankar Jha, S/o Late Sundar Jha, R/o Village- Belsand, Ward No.-9, P.S.-
Belsand, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Jha

For the Opposite Party/s : Mr.Dr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 09-01-2019 The petitioner seeks bail in anticipation of his arrest in connection with Belsand P.S. Case No. 95 of 2017 dated 03.10.2017 instituted for the offences under Sections 307, 447, 120(B), 34 of the Indian Penal Code and Section 27 of the Arms Act.

It has been alleged in the F.I.R that the petitioner, who is the husband of a defeated member of the ward council had been threatening the informant of dire consequences because the informant did not make his wife sit down in favour of the wife of the petitioner. On the day of the occurrence, it has been alleged that while the informant had gone to see the *Mela*, he saw the petitioner,



his son and others. Suspecting some foul play, he came back home. On his way back home, he was called from behind by the petitioner and others. However ignoring their calls, the informant went inside his house but noticed that son of the petitioner had fired from his weapon which did not hit anybody.

The learned counsel for the petitioner has submitted that present case is nothing but an offshoot of a dispute which has erupted during the election time. He has further submitted that the allegations do not appear to be correct as the petitioner is alleged to have spotted/seen the informant in a public place. Instead of harming the informant at that place or any other place, the allegation is that while the informant was entering in his house, he was shot at.

The allegation of firing is attributed to the son of the petitioner who has been granted anticipatory bail by a Bench of this Court vide order dated 17.12.2018 passed in Cr. Misc. No. 74085 of 2018.

Regard being had to the aforesaid facts, the petitioner, above named, in the event of his arrest or



surrender before the learned Court below within a period of four weeks from today, is directed to be released on bail on his furnishing bail bonds of Rs. 10,000/-(ten thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Belsand P.S. Case No. 95 of 2017, subject to the conditions laid down under Section 438 (2) of the Cr.P.C.

(Ashutosh Kumar, J)

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