

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79107 of 2019**

Arising Out of PS. Case No.-139 Year-2019 Thana- GHANSHYAMPUR District- Darbhanga

1. BINDE JHA, aged about 70 years (Male), Son of Late Deokant Jha.
2. Raghav Jha @ Raghav Kumar Jha, aged about 23 years (Male), Son of Lakhan Lal Jha.

Both resident of Village - Kasraur, P.S.- Ghanshyampur,
Distt.- Darbhanga.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar

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

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioners and

learned counsel for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Ghanshyampur P.S. Case No. 139 of
2019, registered for the offence under Sections 341, 342, 323,
324 and 307/34 of the Indian Penal Code.

The incident has taken place on account of some
dispute. Both the sides have assaulted each other. Allegation has
been made against petitioner no.1 to have caused injury by
spade. The petitioner no.2 has assaulted the uncle of the
informant. The impugned order shows that the doctor has found
injury on the person of the informant as well as his uncle.

Considering the aforesaid fact, let the above-named



petitioner no.2, be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Biraul, Darbhanga, in connection with Ghanshyampur P.S. Case No.139 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioner no.2 for the purposes of investigation and interrogation, he will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

So far the bail of petitioner no. 1 is concerned, the same is rejected. However, if the petitioner no. 1 surrenders before the Court below within four weeks from today and prays for regular bail, the Court below will consider the same and pass appropriate order without being influenced by the order of this Court.

(Shivaji Pandey, J)

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