

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29749 of 2020

Arising Out of PS. Case No.-95 Year-2019 Thana- SULTANGANJ District- Bhagalpur

1. SAROJ JHA Son of Yogendra Jha Resident of Village- Shahabad, Sultanganj, P.S.- Sultanganj, District- Bhagalpur
2. Ravi Kumar @ Ravi Kumar Jha Son of Saroj Jha Resident of Village- Shahabad, Sultanganj, P.S.- Sultanganj, District- Bhagalpur
3. Bishnu Kumar Son of Saroj Jha Resident of Village- Shahabad, Sultanganj, P.S.- Sultanganj, District- Bhagalpur
4. Niraj Jha Son of Yogendra Jha Resident of Village- Shahabad, Sultanganj, P.S.- Sultanganj, District- Bhagalpur
5. Pankaj Kumar Son of Shambhu Jha Residing at Vidyapati Nagar, P.S.- Sultanganj, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Opposite Party/s : Mr.Ramchandra Sahn

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-12-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioners and learned APP for the State.



The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 307/34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners assaulted the informant with iron rod, as a result of which he sustained head injury. The father of the informant came to save him, he was also assaulted by the accused persons.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been made. No specific overt act is alleged against the petitioners. Subsequently the informant filed a petition in the court below, where he has retracted from his earlier statement made in the F.I.R. Same is Annexure 2 to the present application.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail



bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Bhagalpur in connection with Sultanganj P.S. case No.95 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure

(Sudhir Singh, J)

Narendra/-

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