

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 83069 of 2019

Arising Out of PS Case No.-294 Year-2019 Thana- PARBATTa District- Khagaria

1. Ashok Jha, Male, aged about 40 years, Son of Late Jay Krishana Jha Resident of Village - Bishauni, P.S.- Parbatta, District – Khagaria.
2. Surya Narayan Jha, Male, aged about 65 years, Son of Krit Narayan Jha Resident of Village - Bishauni, P.S.- Parbatta, District – Khagaria.
3. Manisha Devi, Female, aged about 25 years, Wife of Sri Ashok Jha Resident of Village - Bishauni, P.S.- Parbatta, District – Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bharat Bhushan, Advocate
For the State	:	Mr. Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 07-01-2020

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

2. Learned counsel for the petitioners submitted that he would not press the application on behalf of petitioner no. 1. Accordingly, the application on behalf of petitioner no. 1 stands withdrawn.

3. The petitioners no. 2 and 3 apprehend arrest in connection with Parbatta PS Case No. 294 of 2019 dated 01.08.2019 instituted under Sections 341, 323, 324, 326, 379, 504 and 506/34 of the Indian Penal Code.



4. The allegation against the petitioners is of assault on the informant, her husband and son and specifically against petitioner no. 1 of inflicting *farsa* blow on the head of the husband of the informant.

5. Learned counsel for the petitioners no. 2 and 3 submitted that the parties are agnates and there is family dispute between them. It was submitted that the petitioner no. 1 has also filed Parbatta PS Case No. 295 of 2019 on 01.08.2019 for the same offence. It was submitted that there was some scuffle between both the sides and further that no injury report has been enclosed. Learned counsel submitted that against petitioners no. 2 and 3, the allegation is general and omnibus, though only against petitioner no. 1, there is specific allegation of inflicting *farsa* blow on the head of the husband of the informant.

6. Learned APP submitted that the petitioners no. 2 and 3 also having assaulted the informant, her husband and son do not deserve the privilege of anticipatory bail.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within four weeks from today, the petitioners no. 2 and 3 namely, Surya Narayan Jha and Manisha Devi, be released on bail upon



furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, 1st, Khagaria in Parbatta PS Case No. 294 of 2019, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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