

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4225 of 2022

Arising Out of PS. Case No.-372 Year-2021 Thana- SUPAUL District- Supaul

DEEPAK KUMAR JHA Son of Kripa Jha Resident of Village- Gadh- Baruari
(East Tola), Ward No.- 8, O.P.- Laukaha, P.S.- Supaul, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pramod Mishra, Adv.
For the Opposite Party/s	:	Mr.Ramchandra Singh, APP
For the Informant	:	Mr.Kumar Ravi Shankar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-07-2022 Heard learned counsel for the petitioner, learned counsel
for the informant and learned Additional Public Prosecutor for
the State.

Learned counsel for the petitioner undertakes to remove
the defects within three weeks of resumption of normal court
proceedings. In the eventuality of non-removal of defects within
stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 341, 342, 323, 504,
307, 379, 34 of the Indian Penal Code.

The allegation against the petitioner is that he has
assaulted the informant on his head by means of Farsa with an
intention to kill and when the informant's family members



intervened, the other accused made various lathi blows on the informant's side.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. Both sides are the agnates and there is an admitted land dispute between the parties. It is submitted that for the alleged occurrence, there is a case and counter-case between the parties. The informant's side are the aggressors and the present case is the counter blast of Supaul/Laukaha O.P. P.S. Case No.370 of 2021 instituted against the informant and his family members by the petitioner. It is submitted that in the alleged occurrence, both sides have sustained injuries which are simple in nature. Petitioner has one criminal antecedent, which has inadvertently been wrongly mentioned as no criminal antecedent in paragraph-3 of this application.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is case and counter case between the parties and both sides have sustained simple injuries, let the above named



petitioner, be released on 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 bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Supaul (Laukaha O.P.) P.S. Case No.372/2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

