

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13695 of 2021

Arising Out of PS. Case No.-261 Year-2020 Thana- BAJPATTI District- Sitamarhi

1. ARCHANA JHA Wife of Rakesh Jha Resident of Village - Ratapura, P.s.- Bajpatti, District- Sitamarhi.
2. KAJAL KUMARI Wife of Mr. Sachin jha Resident of Village - Ratapura, P.s.- Bajpatti, District- Sitamarhi.
3. SAURAV KUMAR Son of Late Rakesh Jha Resident of Village - Ratapura, P.s.- Bajpatti, District- Sitamarhi.
4. SACHIN JHA Son of Late Rakesh jha Resident of Village - Ratapura, P.s.- Bajpatti, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Thakur, Advocate

For the Opposite Party/s : Mr. APP

Mr. Surendra Kishore Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 03-01-2022 Heard Mr. Ajay Thakur, learned Advocate for the petitioners and Mr. Surendra Kishore Thakur for the informant. The State is represented by the learned APP.

The petitioners seek bail in anticipation of their arrest in connection with Bajpatti P.S. Case No. 261 of 2020 dated 29.06.2020 instituted for the offences under Sections 341, 323, 324, 307, 354, 379, 504, 506 and 34 of the Indian Penal Code.

The accusation against all the petitioners is of assaulting the informant and other members of her family.



Learned counsel for the petitioners has submitted that there is a family dispute between the petitioners and the informant.

The petitioner no. 1 is the own sister-in-law of the informant. After the death of the husband of the petitioner no. 1, the husband of the informant became the Karta of the family and he in a dishonest way has divested the petitioners of the family property. In fact, even today despite such disturbance having been created for the petitioners, they are residing in the same courtyard.

The petitioner no. 2 is the wife of petitioner no. 4 and petitioners no. 3 and 4 are the nephews of the informant.

Though one of the injuries suffered by the informant is reported to be possibly dangerous to life but considering the background facts where parties are residing in the same house and there is a dispute with respect to apportionment of the family property, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount



each to the satisfaction of the learned Sub-Divisional
Judicial Magistrate, Sitamarhi in connection with Bajpatti
P.S. Case No. 261 of 2020, subject to the conditions as
laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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