

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25067 of 2022

Arising Out of PS. Case No.-146 Year-2021 Thana- TISIAUTA District- Vaishali

1. ABHAY KUMAR JHA @ SONU JHA Son of Late Mahesh Jha Resident of Village - Bishnupur Jasparha, P.S.- Tisiauta, District - Vaishali
2. Dinesh Jha Son of Jagarnath Jha Resident of Village - Bishnupur Jasparha, P.S.- Tisiauta, District - Vaishali
3. Ganesh Jha Son of Jagarnath Jha Resident of Village - Bishnupur Jasparha, P.S.- Tisiauta, District - Vaishali
4. Gunti Jha @ Rakesh Kumar Jha Son of Dilip Kumar Jha Resident of Village - Bishnupur Jasparha, P.S.- Tisiauta, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 25-07-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

At the outset, learned counsel for the petitioners has submitted that during the pendency of this anticipatory bail application, petitioner no.1 has been arrested and, as such, the same has become infructuous. He, therefore, seeks permission to withdraw this application as against petitioner no.1.

In view of the aforesaid submission, the application is dismissed as withdrawn as **having become infructuous as**



against petitioner no.1.

Petitioner nos. 2, 3 and 4 apprehend their arrest for the offences alleged under Sections 147, 341, 323, 325, 308, 379, 504 and 325 of the Indian Penal Code, registered in connection with Tisiauta P.S.Case No. 146 of 2021.

As per allegation, seven accused persons named in the FIR along with 10-15 unknown persons came to the house of the informant and they started abusing the informant and her family members. Co-accused Sonu Jha assaulted the informant on her head with butt of the pistol and co-accused Monu Jha assaulted the husband, daughter and nephew of the informant with iron rod. Thereafter all the accused persons assaulted Roopam Jha, the daughter of the informant.

Learned counsel for the petitioners has submitted that they are innocent. The specific allegation to assault the informant and her husband is on Sonu Jha and Monu Jha who are not the petitioners. So far as the petitioners are concerned, the allegation against them are general and omnibus. He has further submitted that there is case and counter case and the members of the defense side have also sustained injuries.

It is a case of free fight and the petitioners are persons of clean antecedents.



Considering the above facts and circumstances, let petitioner nos. 2, 3 and 4, above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned learned Priti Roy, Judicial Magistrate 1st Class Hajipur (Vaishali) in connection with Tisiauta P.S.Case No. 146 of 2021, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all the defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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