

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30491 of 2022

Arising Out of PS. Case No.-570 Year-2020 Thana- AMARPUR District- Banka

1. AMRIT KUMAR JHA @ AMRIT JHA SON OF VIJAY JHA @ VIJOY JHA R/O VILLAGE- MAHMADPUR, P.S.- AMARPUR, DISTRICT-BANKA
2. KUNAL JHA @ KUNAL KUMAR JHA SON OF VIJAY JHA @ VIJOY JHA R/O VILLAGE- MAHMADPUR, P.S.- AMARPUR, DISTRICT-BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-11-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 307 and 34 of the Indian Penal Code.

The informant alleges that the petitioners came to his house on 14.09.2020, and threatened to withdraw Amarpur P.S. Case No. 80 of 2016, on protest petitioners assaulted his son Alok by an iron rod causing injury on head, Sangeeta Devi assaulted his wife and daughter-in-law by lathi and Vijay Jha assaulted him and Neeraj.

Learned counsel for the petitioners submits that the



petitioners are persons with clean antecedent and have been falsely implicated in the present case, it is next submitted that from bare perusal of the allegation as alleged in the FIR it would manifest that the informant alleges that the petitioners were threatening him to withdraw Amarpur P.S. Case No. 80 of 2016, it is further submitted that the case was instituted in 2016 by the petitioners would have come in the year 2020 for threatening the informant to withdraw the case. Learned counsel next submits that petitioners are persons with clean antecedent, as such, they were not an accused in Amarpur P.S. Case No. 80 of 2016, so it does not appear probable that they would commit an occurrence and thus would have got implicated in a case, it is also submitted that even presuming what has been alleged then the injury suffered by the injured is simple in nature which amply demonstrates that petitioners never had any intention of committing a serious occurrence nor the blow said to be repeated.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Amarpur P.S. Case No. 570 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

GauravSinha/-

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