

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71062 of 2021

Arising Out of PS. Case No.-203 Year-2019 Thana- MADHEPUR District- Madhubani

1. Vinod Jha @ Vinod Kumar Jha Son of Late Surya Narayan Jha Resident of Village- Rajaur, P.S.- Madhepur, District- Madhubani.
2. Rajeev Kumar @ Rajiv Kumar Jha Son of Vinod Kumar Jha Resident of Village- Rajaur, P.S.- Madhepur, District- Madhubani.
3. Sanjeev Kumar Jha @ Sanjeev Jha Son of Vinod Kumar Jha Resident of Village- Rajaur, P.S.- Madhepur, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baleshwar Kamat

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-07-2022 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in Madhepur P.S. Case No. 203 of 2019, registered for the offences punishable under Sections 354B, 323 and other allied sections of the Indian Penal Code.

Prosecution case in brief is that all the accused persons entered into the house of informant and torn her *saree* and assaulted her by fist, slaps and *lathi*.

It is submitted that no such occurrence has ever taken place as alleged in the FIR. In fact, due to land dispute between



the parties scuffle took place in which there was free fight in which both sides sustained injury. Case and counter case. Present case is counter blast of Madhepur PS Case No. 202 of 2019 against informant and others and in order to save their skin this false case has been lodged against petitioners. Moreover, there is delay of five days in lodging of FIR, the occurrence took place on 07.12.2019, but the FIR was lodged on 12.12.2019 without any plausible explanation. Petitioners have got clean antecedents.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 the learned Additional Chief Judicial Magistrate IInd, Jhanjharpur, Madhubani in connection with Madhepur P.S. Case No. 203 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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