

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72553 of 2021

Arising Out of PS. Case No.-142 Year-2021 Thana- BAHADURPUR District- Darbhanga

1. NAWAL KISHORE JHA S/o Raghubir Jha R/o village- Shobhepatti, P.S.- Ashok Papermill, District- Darbhanga
2. Amar Kishore Jha S/o Raghubir Jha R/o village- Shobhepatti, P.S.- Ashok Papermill, District- Darbhanga
3. Ravish Jha S/o Nawal Kishore Jha R/o village- Shobhepatti, P.S.- Ashok Papermill, District- Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Baidya Nath Prasad
For the Opposite Party/s : Mr.Binod Kumar

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

ORAL ORDER

2 30-05-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners, learned counsel for the informant and the learned APP for the State.

This is an application for regular bail on behalf of the petitioner for the offences alleged under section 307, 379 and other allied sections of the Indian Penal Code.

As per allegation, co-accused Jiwan Kishore Jha was uprooting the crops of the informant. The informant and his son went to the field and saw named accused persons and 20 unknown persons uprooting crops from his field. On protest co-accused Jiwan Kishore



Jha assaulted the informant's son Santosh Singh @ Kumar Anurag on his head with *Katta*. Petitioner no.1 Nawal Kishore Jha assaulted the informant with rod on his head, petitioner no.2 Amar Kishore Jha assaulted son of the informant with *lathi* and petitioner no.3 snatched watch from Kudan.

Learned counsel for the petitioners has submitted that there is case and counter case. In respect of disputed land, a title suit is already pending between the parties. He has submitted further that land in dispute was transferred by mother of the informant in favour of the petitioner Nawal Kishore Jha. He has also submitted that nature of injury has not been opined but the impugned order shows that injured person has sustained lacerated wound tenderness etc and they are in custody since 08.09.2021.

Considering the facts and circumstances and the period of custody of the petitioners, let the petitioners above named be released on bail on furnishing bail bond of Rs 10,000/- with two sureties of the like amount each to the satisfaction of Ms. Romi Kumari, Judicial Magistrate, Ist Class, Darbhanga in connection with Bahadurpur P.S. Case no. 142 of 2021, subject to the following conditions:-

1. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.
2. If the petitioners are found involved in future in the similar type of offence, the prosecution will have liberty to file an



application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.

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

(Nawneet Kumar Pandey, J)

s.hassan/-

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