

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6889 of 2023

Arising Out of PS. Case No.-177 Year-2022 Thana- PANDAU District- Madhubani

1. LEELA KANT JHA Son of Late Babu Lal Jha Resident of Village - Kakna, Police Station - Pandaul, District - Madhubani
2. Prajwal Jha @ Prajjawal Kr. Jha Son of Leela Kant Jha Resident of Village - Kakna, Police Station - Pandaul, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar, Adv.
For the Opposite Party/s : Mr.Mohammed Arif, APP.
Mr. Prabhakar Thakur, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-06-2023 Heard the parties.

Learned counsel for the petitioners has filed a supplementary affidavit.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 379, 354(B), 504/34 of the Indian Penal Code.

Allegedly, petitioners are said to have abused and assaulted the informant and his wife. They snatched Mangal-sutra of the informant's wife. On instigation of petitioner no.1, petitioner no.2, with an intention to kill the informant, wrapped a towel around his neck and started twitching it, and when his wife tried to save him, petitioner no.1 tried to outrage her



modesty.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is case and counter case between the parties. There is a dispute regarding the direction of the CCTV Camera between the parties. It is further submitted that in compliance of order dated 08.05.2023 passed in Cr. Misc. No. 6889 of 2023, the CCTV Camera has been shifted from present place to another and the same is in direction of the land of the petitioners, which is evident from Para 4 of the Supplementary Affidavit. Similarly situated co-accused has been granted anticipatory bail. Petitioners have one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State and learned counsel for the informant opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as similarly situated co-accused has been granted anticipatory bail, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below



within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Pandaul P.S. Case No. 177 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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