

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13020 of 2020

Arising Out of PS. Case No.-39 Year-2019 Thana- BANDHUWA KURAWA District- Banka

1. Mohit Jha Son Of Arjun Jha Resident Of Village - Sah Tola Faga, P.S.-
Bandhuwa Kurawa, Distt - Banka.
2. Laddu Jha Son Of Arjun Jha Resident Of Village - Sah Tola Faga, P.S.-
Bandhuwa Kurawa, Distt - Banka.
3. Kuber Jha Son Of Arjun Jha Resident Of Village - Sah Tola Faga, P.S.-
Bandhuwa Kurawa, Distt - Banka.
4. Sharmila Devi Wife Of Arjun Jha Resident Of Village - Sah Tola Faga, P.S.-
Bandhuwa Kurawa, Distt - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee
For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 16-03-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code.

As per FIR, the prosecution, in brief, is that the petitioners entered the house of the informant and on the instruction of petitioner no.4, petitioners no. 1 to 3 assaulted the husband of the informant with sword and Gandasa causing injury.

Learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He



submits that the statement of the injured person Ramjee Pandit was recorded by the police in para-17 of the case diary, in which there is specific allegation against Pawan Jha and the petitioner no. 3 (Kuber Jha). Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for bail.

Consideing the facts and circumstances of the case, let the above named petitioners no. 1, 2 and 4, 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 Court below where the case is pending/successor Court in connection with Kurawa P.S. Case No. 39 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Considering the facts and circumstances of case and the fact that there is specific allegation against petitioner no. 3, I am not inclined to enlarge petitioner no.3 (Kuber Jha) on anticipatory bail in connection with Kurawa P.S. Case No. 39 of 2019. The prayer for anticipatory bail of the petitioner no. 3 is hereby rejected.

(Anjani Kumar Sharan, J)

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