

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20002 of 2023

Arising Out of PS. Case No.-163 Year-2022 Thana- KUSHESHWARASTHAN District-
Darbhanga

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DARSHAN JHA @ DARSHAN KUMAR JHA, aged about 33 years,
Gender- Male, Son of Vinod Jha @ Vinoda Nand Jha, Resident of Village -
Harauli, P.S.- Kusheshwar Asthan, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate

Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 03-08-2023 1. Heard learned senior counsel for the petitioner and
the learned APP for the State.

2. Petitioner seeks regular bail in connection with K.
Asthan P.S. Case No. 163 of 2022 dated 08.05.2022 registered
for the offence(s) punishable under Section(s) 307, 498(A), 341,
323, 380, 504, 506 and 120(B) of the Indian Penal Code.

3. The main submissions advanced by the learned
senior counsel for the petitioner are that petitioner is the cousin
brother of co-accused Shekhar Suman Mishra (husband of
informant), other co-accused/Binoda Nand Jha has been granted
bail by the court below itself, as per the allegation this petitioner
inflicted a knife blow at the neck of informant's sister whose



injury report is available before this Court and the same shows that the said injured sustained simple injury and the injury has been caused by hard and blunt object which is not corroborative to the allegation levelled against this petitioner. Further submissions are that the petitioner has been languishing in jail since 18.11.2022 having fair and clean antecedent and against him, the investigation has been completed.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Heard both the sides and perused the FIR and case diary of this case. The petitioner is stated to be the cousin brother of the informant's husband, who appears to be the main accused of this case and as per the statement made in paragraph 16 of the petition, the husband of the informant has been granted provisional bail for conciliation purpose, though there is a specific allegation against this petitioner of having inflicted a knife blow at the neck of informant's sister but the said allegation does not get corroboration from the medical expert's opinion as according to the medical opinion, the injury found at the neck of the said injured was caused by hard and blunt object and the said injury has been opined to be simple in nature, the petitioner has fair and clean antecedent and he has been



languishing in jail since 18.11.2022 and the matrimonial dispute in between the informant and her husband is stated to be the genesis of the occurrence. Considering all these facts and mainly taking into account the petitioner’s fair and clean antecedent and his custody period, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with K. Asthan P.S. Case No. 163 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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