

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28264 of 2023

Arising Out of PS. Case No.-583 Year-2022 Thana- BANKA District- Banka

1. Paras Kumar @ Paras Kumar Jha @ Pravin Kr. Jha Son of Late Anuj Kumar Jha @ Late Anuj Kumar R/O Village- Vijaynagar, P.S.- Banka, District- Banka
2. Navneeta Jha Wife of Late Anuj Kumar Jha @ Late Anuj Kumar R/O Village- Vijaynagar, P.S.- Banka, District- Banka
3. Md. Raj Son of Md. Sultan R/O Village- Kharihara, P.S.- Barahat (Banka), District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan, Advocate.

For the Opposite Party/s : Mr.Ramchandra Sahni, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 14-07-2023 Heard Mr. Kumar Kamal Nayan, learned counsel appearing on behalf of the petitioners and Mr. Ramchandra Sahni, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Banka P.S. Case No. 583 of 2022 registered for the offence punishable under Sections 341, 323, 504, 506 and 379/34 of the Indian Penal Code.

3. Prosecution story, in brief, is that due to land dispute, petitioners are said to have assaulted the informant by



means of iron rod causing injury to the informant. The petitioners Paras Kumar and Navneeta Jha pressed the neck of the informant with intention to kill him and also took out Rs.5000/- from his pocket. Earlier to this incidence on 07.09.2022 also, the petitioners along with other accused persons abused and caused hurt to the informant.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and have falsely been implicated in the present case. The allegation as alleged in the F.I.R. is not substantiated with any evidence that the petitioners have assaulted the informant in any manner or have committed theft. Petitioners and the informant are gotia and due to enmity, petitioners have been roped in a false case.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the nature of allegation made in the F.I.R., the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with



Banka P.S. Case No. 583 of 2022 (G.R. No. 2867 of 2022),
subject to the condition as laid down under Section 438(2) of
the Cr.P.C.

(Purnendu Singh, J)

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