

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52758 of 2023

Arising Out of PS. Case No.-620 Year-2022 Thana- COMPLAINT CASE District- Banka

1. MRITUNJAY KUMAR JHA SON OF UMESH CHANDRA JHA @ U.C. JHA R/O-SAMUKITTA, P.S.-MAHAGAMA, DISTT.-GODDA (JHARKHAND) AT PRESENT RESIDING AT 568K/11D KRISHNAPALLI, ALAMBAGH, BENTI LUCKNOW, UTTAR PRADESH 226005
2. JANMEJAY KUMAR JHA SON OF UMESH CHANDRA JHA @ U.C. JHA R/O-SAMUKITTA, P.S.-MAHAGAMA, DISTT.-GODDA (JHARKHAND) AT PRESENT RESIDING AT 568K/11D KRISHNAPALLI, PS- ALAMBAGH, BENTI DIST- LUCKNOW, UTTAR PRADESH 226005

... .. Petitioner/s

Versus

1. The State of Bihar
2. KRISHNA DEVI WIFE OF ANJNI KUMAR MISHRA RESIDENT OF VILLAGE- KHADHARA, PS- BARAHAT, DIST- BANKA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Karn, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-08-2023

1. Heard learned counsel for the parties.

2. The petitioners apprehend their arrest in connection with Complaint Case no. 620 of 2022 in which cognizance was taken under sections 323, 324, 379, 354, 504, 506 and 34 of the Indian Penal Code.

3. The allegation in the complaint by the complainant is that at about 6.45 pm the accused persons variously armed with lathi, gandasa, pistol etc., came and started to abuse and assault the complainant and others. It is further stated that on



the orders of Umesh Chandra Jha all the accused persons assaulted and misbehaved with her daughter. Rajaram Chaudhary broke open the box and took away Rs. 80,000/- cash and gold ornaments as described in the complaint. The accused persons did not permit them to go out of the house for whole of the night.

4. Learned counsel for the petitioners submits that the allegations against the petitioners are false and concocted. Referring to the contents of the complaint it is submitted that the date and time of occurrence is said to be 6.5.2022 at 7 pm and as per the allegations, the complainant and others were not permitted to go out of the house till the morning of 7.5.2022. However, from perusal of page 1 of the complaint it would transpire that the Court fee was obtained on the first page of the petition on 6.5.2022 itself. It is submitted that as many as five co-accused have been granted anticipatory bail vide order dated 25.5.2023 passed in Cr. Misc. no. 17513 of 2023.

5. Heard learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the complaint, the submissions made on behalf of the petitioners, the allegations being general and omnibus in nature together



with grant of anticipatory bail to the five named accused vide order dated 25.5.2022, the above named two petitioners are directed to be enlarged on bail in connection Complaint Case no. 620 of 2022 on each of them furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Banka.

(Partha Sarthy, J)

Prakash/-

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