

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54258 of 2023

Arising Out of PS. Case No.-69 Year-2022 Thana- BHEJA District- Madhubani

1. Chandra Mohan Jha Son of Pramod Narayan Jha R/O Rahua Sangram, Ps-Bheja, Dist- Madhubani At Present South of Gas Godown, Saraswati Vihar, Shiv Mandir, Chhapki Parri, Darbhanga, Dist- Darbhanga
2. Manoj Kumar Jha Son of Pramod Narayan Jha R/O Rahua Sangram, PS-Bheja, Dist- Madhubani At Present South of Gas Godown, Saraswati Vihar, Shiv Mandir, Chhapki Parri, Darbhanga, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prafull Chandra Jha, Advocate
For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-08-2023 Heard learned counsel for the parties.

2. Petitioners seek pre-arrest bail in connection with Bheja P.S.Case No.69 of 2022 (G.R.No.1374 of 2022), registered for the offences punishable under Sections 341, 323, 324, 307, 354 and 504/34 of the Indian Penal Code.

3. Prosecution story, in brief, is that on 10.08.2022 while the informant was sitting at his *Baramdah*, the petitioners assaulted with *Farsa* and when his wife came to save him, she was also assaulted with *Farsa* on her head.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent. The altercation took place between the parties due to mango orchard and in course of the self-defence, the petitioners may have caused injury to the informant and his wife. Petitioners have



clean antecedent.

Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

Considering the nature of allegation, it is admitted fact that there was dispute between the parties with respect to mango orchard and due to which they were engaged in scuffle with each other and the petitioners in their self-defence may have caused injury to the informant and his wife without any intention. The petitioners' side have also sustained injury in the said scuffle and underwent treatment at Darbhanga Medical College and his statement was also recorded in the Hospital. The petitioners 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 ACJM II, Jhanjharpur (Madhubani) in connection with Bheja P.S.Case No.69 of 2022 (G.R.No.1374 of 2022), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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