

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62762 of 2023

Arising Out of PS. Case No.-126 Year-2022 Thana- SHRI NAGAR District- Madhepura

NIRMAL JHA @ NIRMAL KUMAR JHA SON OF LATE JAINATH JHA
RESIDENT OF VILLAGE- BELASADI WARD NO. 03, PS- SRINAGAR,
DISTT- MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bal Krishna Mishra, Advocate.

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-10-2023 Heard Mr. Bal Krishna Mishra, learned counsel
appearing on behalf of the petitioner and Mr. Md. Ataur
Rahman, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Srinagar P.S. Case No. 126 of 2022 registered for the
offence punishable under Sections 341, 323, 379, 324, 307 and
504/34 of the Indian Penal Code.

3. Prosecution story, in brief, is that the petitioner
along with six named accused persons armed with various
weapons entered into the house of the informant and on the
order of Jaynath Jha, Mithilesh Jha assaulted on the head of
brother of the informant Lalit Jha causing head injury, other
accused persons also assaulted other family member of the



informant by means of various weapons. Both the sides got injured in the incidence.

4. Learned counsel appearing on behalf of the petitioner submits that on the alleged date of incidence i.e. on 19.10.2022, the petitioner and informant's side engaged into fierce fight in which the wife of the petitioner got brutally injured and was taken to hospital. Petitioner has been named due to enmity. No specific allegation has been made against the petitioner. He further submits that F.I.R. has been lodged on 20.10.2022 while the police station is 5 Kms away from the police station from the place of occurrence. There is case and counter case. Petitioner has clean antecedent.

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

6. Considering the nature of allegation made against the petitioner as well as the fact that the wife of petitioner got injured in the said incidence and general and omnibus allegation has been levelled against the petitioner, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his 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) with two sureties of the like amount



each to the satisfaction of learned Chief Judicial Magistrate,
Madhepura in connection with Srinagar P.S. Case No. 126 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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