

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59878 of 2022

Arising Out of PS. Case No.-384 Year-2018 Thana- GAIGHAT District- Muzaffarpur

1. Mahadharan Jha @ Mahardan Jha S/O Late Ganga Jha Resident Of Village- Jarang Gatoli, P.S.- Gaighat, District- Muzaffarpur.
2. Ashok Jha S/O Mahadharan Jha Resident Of Village- Jarang Gatoli, P.S.- Gaighat, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 06-02-2023 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable u/s 341, 323, 324, 307, 379, 504 and 506 read with section 34 of the Indian Penal Code.

As per the prosecution case, the petitioners and the co-accused persons armed with iron rod attacked the informant and due to which the informant, his mother and his brother sustained severe injuries and the accused snatched golden chain



and ring from the possession of his mother.

Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. The petitioners have no criminal antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioners.

Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned Muzaffarpur in connection with Gaighat P.S. Case No. 384 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.



2. The court below shall verify the criminal antecedent of the petitioners and at any stage, if it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

(Chandra Prakash Singh, J)

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