

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65576 of 2022

Arising Out of PS. Case No.-252 Year-2022 Thana- BISFI (PATAUNA) District- Madhubani

1. SRI MOHAN JHA S/o Late Purandar Jha R/o Village- Nahas Rupauli, P.S.- Bisfi(Patauna), Distt- Madhubani.
2. KRISHNA KUMAR JHA @ LAKKI S/o Sri Mohan Jha R/o Village- Nahas Rupauli, P.S.- Bisfi(Patauna), Distt- Madhubani.
3. ASHISH KUMAR JHA S/o Sri Mohan Jha R/o Village- Nahas Rupauli, P.S.- Bisfi(Patauna), Distt- Madhubani.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
		Mrs. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-02-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

Petitioners are said to have assaulted the informant by means of farsa and barchi due to which he sustained severe injury on his body.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. It is further submitted that both sides own family members and the present



is none else but own brother of petitioner no.1 and land dispute is going on in between the parties from before. The allegation levelled against the petitioners is that all of them indiscriminately assaulted the informant as well as his brother but the injury report of the informant as well as his brother totally falsified the prosecution allegation because no incised or piercing injury was found on either of the body of the inforamnt of on the body of his brother. Petitioner nos.2 and 3 have no criminal antecedent, whereas petitioner no.1 has one criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, let the above named petitioner nos.1 and 3, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Bisfi (Patauna) P.S. Case No. 252 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Considering the facts and circumstances of case and nature of allegation against petitioner no.2, I am not inclined to



enlarge petitioner no.2 on anticipatory bail. The prayer for anticipatory bail of the petitioner no.2 is hereby rejected. However, if the petitioner no.2 surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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