

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4978 of 2023

Arising Out of PS. Case No.-386 Year-2021 Thana- UJIYARPUR District- Samastipur

MANTUN JHA Son of Mahendra Jha @ Mahender Jha Resident of Village-
Chandchaur Tole Shekhpura, P.S.- Ujijarpur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 19-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 354(B), 307, 379, 427, 504, 324 and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of ten cases, it is next submitted that the petitioner and the informant are agnates, it is further submitted that no doubt ten cases are pending against the petitioner but then all the cases have been instituted by the side of the informant on account of a dispute relating to land.

The informant alleges that the accused persons including the petitioner started destroying her crop of potato and



maize on which she tried to resist but the accused persons, including the petitioner, abused her and Ratnesh Jha tore her blouse and snatched gold chain worth Rs. 1,20,000/- and when her husband and Shambhu along with her brothers-in-law came to pacify the matter, the accused persons surrounded them and petitioner assaulted Babu Prasad Jha on his head by a *kudal* causing injury and co-accused Chand Babu Jha assaulted Babu Prasad Jha by an iron rod causing fracture of finger of his right hand.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that on account of land dispute and the parties being agnates, the present case came to be instituted. It is further submitted that a Title Suit No. 17 of 2011 has been filed by the side of the informant against the side of the petitioner which is pending adjudication in the court of learned Civil Judge, Senior Division, Dalsingh Sarai. Learned counsel submits that from perusal of the injury report it would manifest that the injury caused on the wrist was found to be grievous which is alleged against Chand Babu Jha, it is next submitted that petitioner is alleged to have assaulted the injured on head but from perusal of the injury report it would manifest that the same does not record



that the injury on head was grievous, further even the blow was not repeated.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) 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 Ujiyarpur P.S. Case No. 386 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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