

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13398 of 2024

Arising Out of PS. Case No.-240 Year-2023 Thana- BIBHUTIPUR District- Samastipur

1. Ramesh Jha @ Mithan Jha S/o Late Babu Narayan Jha
2. Manish Jha @ Manish Kumar S/o Ramesh Jha R/o Village - Kalyanpur, P.S.
- Bibhutipur, Dist. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 19-03-2024 Heard learned counsel for the petitioners as well as
learned APP for the State.

The petitioners seek bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 147,
148, 149, 341, 323, 307, 354B, 379, 427, 504 and 506 of the
Indian Penal Code.

The learned counsel for the petitioners submit that
petitioners are person with clean antecedent and the petitioners
have been implicated falsely in the instant case on account of
dispute relating to land.

It is further submitted that from perusal of the



allegation as alleged in the FIR, it would manifest that as far as petitioner no.1 is concerned the allegation against him is of assaulting the brother-in-law (*Debar* of the informant) by lathi and the allegation against petitioner no.2 is of pulling the *Sari* of the informant. It is further submitted that though there is allegation of assaulting the *Debar* of the informant by the petitioner no.1, but then the FIR does not even remotely disclose that on which part of the body the petitioner no.1 assaulted by lathi. It is next submitted that allegation of pulling *Sari* by petitioner no.2 is ornamental in nature, when petitioners admittedly are person with clean antecedent and the dispute was with respect to a piece of land.

The learned APP opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioner above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Rosera, Samastipur in connection with Bibhutipur P.S. Case No.240 of 2023, subject to



the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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