

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15694 of 2024

Arising Out of PS. Case No.-162 Year-2023 Thana- SINGHESHWAR District- Madhepura

1. Kumod Jha Son Of Late Shyam Sundar Jha Resident Of Village - Lalpur Saropatti, Ward No.09, P.S. - Singheshwar, District - Madhepura
2. Ugan Jha @ Raguvansh Mani Son Of Kumod Jha Resident Of Village - Lalpur Saropatti, Ward No.09, P.S. - Singheshwar, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Adv.

For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 18-03-2024 Heard Mr. Pawan Kumar, learned counsel for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Singheshwar P.S. Case No. 162 of 2023 registered for the offences punishable under Sections 341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code.

3. Allegedly, all the FIR named accused persons, including 7-8 unknown persons variously armed came at the door of the informant and started abusing. They threatened him to pay an extortion of Rs. 5 lac otherwise he would be killed. On protest being made, co-accused Sanoj Jha assaulted the informant on his head by means of iron rod but he anyhow stop



the blow from his hands, resulting into fracture in both the hands. Further allegation has been levelled that petitioner no.1 put a country made pistol on the temple of the informant in order to terrorize and also snatched Rs. 50,000/- from his pocket. When the wife of the informant came to his rescue, she was also assaulted by the accused persons.

4. Learned counsel for the petitioners, submits that the present case is nothing but a counter blast of Singheshwar P.S. Case No. 161 of 2023 instituted by petitioner no.1. Moreover, the occurrence took place on 07.06.2023 but the FIR has been lodged on 12.06.2023 without assigning any reason for delay. A copy of the injury report has also been placed on record as Annexure-3 series to the application, which *prima facie* depicts the injuries to be simple in nature. He further submits that, in fact, there is a long-standing dispute running between the parties and petitioner no.1 and the informant are none else but the cousin. All the more, the petitioners have no criminal antecedent.

5. On the other hand, learned counsel for the State, opposes the bail application and submits that the petitioners had actively participated and assaulted the informant and his wife.

6. Regard being had to the submissions made on



behalf of the parties and considering the delay in lodging of the FIR and the simple nature of injury, coupled with the fair antecedent of the petitioner and the case and counter case between the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Madhepura in connection with Singheshwar P.S. Case No. 162 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C., with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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