

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26975 of 2024

Arising Out of PS. Case No.-173 Year-2023 Thana- KISHANPUR District- Supaul

1. Amol Jha @ Anmol Jha son of Late Jaynarayan Jha Resident of Village- Abhuar, Ward No. -05, P.S.- Kishunpur, Dist.- Supaul
2. Mahajan Jha Son of Late Jaynarayan Jha Resident of Village- Abhuar, Ward No. -05, P.S.- Kishunpur, Dist.- Supaul
3. Ramchandra Jha Son of Late Jaynarayan Jha Resident of Village- Abhuar, Ward No. -05, P.S.- Kishunpur, Dist.- Supaul
4. Santosh Kumar Jha Son of Mahajan Jha Resident of Village- Abhuar, Ward No. -05, P.S.- Kishunpur, Dist.- Supaul
5. Mantosh Kumar Jha Son of Mahajan Jha Resident of Village- Abhuar, Ward No. -05, P.S.- Kishunpur, Dist.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary
For the Opposite Party/s : Mr. Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 379, 307, 504, 506 of the Indian Penal Code.

3. As per the prosecution case, the petitioners along with other co-accused persons are said to have assaulted the informant and others.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this



case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioners. He further submits that there is case and counter case between the parties and both sides have sustained injuries. He also submits that there is admitted land dispute between the parties. Petitioners have one criminal antecedent as mentioned in para-3 of this application.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail and submits that there is specific allegation against the petitioner no. 2, who is the author of the grievous injury.

6. Having regard to the facts and circumstances of the case and the fact that there is no specific overt act against the petitioners no. 1, 3, 4 and 5, let the above named petitioners no.1, 3, 4 and 5, be released on bail, in the event of his 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) 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 Kishanpur P.S. Case No. 173 of 2023, subject to the condition



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

7. Considering the facts and circumstances of case and the fact that there is specific overt act 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.

8. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

anand/-

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