

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45797 of 2024

Arising Out of PS. Case No.-417 Year-2023 Thana- BIBHUTIPUR District- Samastipur

1. Binay Kumar Jha @ Vinay Kumar Jha Son of Baidhnath Jha R/O Vill.- Manrayatol, P.S.- Bibhutipur, Dist.- Samastipur, Bihar
2. Baidhnath Jha Son of late Kusheshwar Jha R/O Vill.- Manrayatol, P.S.- Bibhutipur, Dist.- Samastipur, Bihar

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 09-09-2024 1. Heard learned counsel for the petitioner and learned APP for the State.

2. At the very outset, learned counsel for the petitioner seeks permission to withdraw the anticipatory bail application with respect to petitioner No.1, who has been arrested during the pendency of the instant case. Permission is granted.

3. So far as bail petition of petitioner No.2 is concerned, the petitioner No.2 seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 148, 149, 341, 342, 323, 324, 307, 354A, 354-B, 379, 504, 506, 147 of the Indian Penal Code.

4. The learned counsel for the petitioners submits that



the petitioner No.2 has antecedent of one case and the informant alleges that on 28.10.2023 while he was doing boundary work over his land, when accused person including the petitioners came variously armed and Amit assaulted him by Farsa causing injury on head. Thereafter, Binod assaulted his grand father, Suresh by Farsa causing injury on his head, further Vinay assaulted his father, Shambhu by rod causing injury on head. Thereafter, Vikas dashed his mother on the ground and disrobed her and Vivek assaulted her by leg, further Vikas assaulted his sister, Kajaj, by rod causing injury on hand and Shubham snatched chain from the neck of his mother and tore clothes of his sister. Learned counsel next submits that from perusal of the allegation as alleged in the F.I.R. it would manifest that no specific allegation is alleged against the petitioners.

5. Learned A.P.P. opposes the bail application.

6. Consideration the submissions made by the learned counsel for the petitioners, the petitioner No.2, above-named, in the event of his arrest or surrender before the learned Court below withing a period of six weeks, is directed to be released on bail on his 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, in



connection with Bibhutipur P.S. Case No. 417 of 2023, subject
to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The applications stands allowed.

(Satyavrat Verma, J)

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