

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39238 of 2024

Arising Out of PS. Case No.-397 Year-2023 Thana- VAISHALI District- Vaishali

Dhiraj Jha @ Dhiraj Kumar Son of Late Shambhu Jha R/O Village-
Dharampur, Jarang, P.S.- Vaishali, (O.P. Belsar), Dist.- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 03-07-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Vaishali PS Case No.397 of 2023 dated 15-09-2023, instituted
under Sections 341,323, 324, 354B, 307/34 of the Indian Penal
Code.

3. As per allegation in the FIR, the petitioner along with
co-accused, namely, Pankaj Jha assaulted the informant by
means of *Gandasa* on his head and ear. They also assaulted the
brother of informant, namely, Sanjay Jha by means of *Gandasa*
on his head.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that petitioner and informant are agnates



and there is land dispute between the parties. It is submitted that a Title Suit bearing T. S. No. 09 of 2021 has been pending between the parties. It is submitted that there is specific allegation against the petitioner that he assaulted with *Gandasa* on the head of the informant and his brother, but the injury report revealed that the said injury is caused by hard and blunt substance and nature of injury is mentioned as simple. Lastly, it is submitted that petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM Vaishali at Hajipur, in Vaishali PS Case No.397 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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