

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50019 of 2023

Arising Out of PS. Case No.-622 Year-2022 Thana- SHAHPUR PATORI District- Samastipur

Uday Kumar @ Uday Kumar Jha Son Of Ganesh Jha Resident Of Village-
Inayatpur Dhawan, Ps- Shahpur Patori, Distt- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gauri Shankar Thakur

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 13-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Patory P.S. Case No. 622 of 2022, dated 23.12.2022 for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 425, 454, 380 of the Indian Penal Code.

3. As per the prosecution case, the accused persons including the petitioner entered the house of the informant armed with deadly weapons and began to search the informant with intention to kill him. The co-accused Aadarsh Jha assaulted the informant's wife with *farsa* on her head causing head injury. The petitioner assaulted the informant's son with iron rod on his



head which hit his hand causing broken injury. The co-accused Aniket Jha assaulted Achayut Kuma on his head causing head injury. The co-accused persons Rekha Devi, Aarchana Devi and Shalu Devi caught hold of the hair of the daughter of the informant and thrashed on the ground and assaulted her with *lathi, danda*. The allegation against the petitioner is also that he snatched the golden chain from the neck of the informant's wife.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. Learned counsel further submitted that there is land dispute between parties. The petitioner and the informant are full brothers. There is case and counter case between both the sides. There is a delay of one and half year in lodging the F.I.R. It is further alleged that the petitioner has also sustained grievous injury mentioned in Annexure-3 of the supplementary affidavit. The informant and his family members sustained injury on non vital part of the body caused by hard and blunt substance which is simple in nature. The informant's son sustained grievous injury on non-vital part i.e. hand.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.



6. Considering the aforesaid facts and circumstances of the case as well as allegation being general and omnibus against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Samastipur in connection with Patory P.S. Case No. 622 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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