

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56196 of 2024

Arising Out of PS. Case No.-228 Year-2021 Thana- BAHERA District- Darbhanga

Devendra Jha @ Devendra Kumar Jha @ Devendar Kumar Jha Son of
Vijendra Narayan Jha @ Vijendra Narayan R/o- Village- Bikupatti, P.S.-
Bahera, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Prem Kumar Jha, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Bahera P.S. Case No.228 of 2021 corresponding to G.R.
No.231 of 2021 instituted under Sections 143, 341, 323, 307, 504,
506/34 of the Indian Penal Code.

3. As per the prosecution case, the allegation against the
petitioner is that petitioner gave an axe blow on the head of wife of
the informant causing head injury.

4. Learned counsel for the petitioner submits that due to
land dispute between the parties, the free fight took place between
the parties in which both the parties got injury for which there is
case and counter case between them. He further submits that the
injury on the wife of informant is simple in nature caused by hard
and blunt substance which does not corroborate the allegation
against the petitioner with respect to assault by the axe. Learned



counsel submits that during the investigation, the petitioner extended full cooperation and the Police has filed charge sheet against him also and the Court has taken cognizance against the petitioner and the petitioner has apprehension of arrest in this case as the process has been issued against him. He further submits that the petitioner has no criminal antecedent and undertakes to cooperate in the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering 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/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Additional Chief Judicial Magistrate, Benipur, District Darbhanga in connection with Bahera P.S. Case No.228 of 2021 corresponding to G.R. No.231 of 2021, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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