

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61278 of 2024

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

Vijendar Narayan Jha @ Bijendra Narayan Jha son of Shree Kant Jha
Mohalla- Bikupatti PS- Bahera Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate.

For the Opposite Party/s : Mr. Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 27-09-2024 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 instituted under Sections 341,
323, 379, 504, 506 and 34 of the Indian Penal Code.

3. As per prosecution case, the allegation against the
petitioner is that petitioner gave a *farsa* blow on the head of the
informant causing head injury.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case. He further
submits that due to land dispute between the parties, the free
fight took place between the parties in which both parties got



injury for which there is case and counter case between them. The injury does not corroborate the allegation against the petitioner as made in the F.I.R. It is further submitted that during the investigation, the petitioner extended full cooperation and the police has filed charge sheet against him 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. The petitioner has no criminal antecedent and undertakes to cooperate in the trial. It is next submitted that similarly situated co-accused person has already been granted anticipatory bail by this Court vide order dated 04.09.2024 passed in Criminal Miscellaneous No. 56196 of 2024.

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/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Additional Chief Judicial Magistrate-Benipur, Darbhanga, in connection with Bahera P.S. Case No.228 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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