

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61159 of 2024

Arising Out of PS. Case No.-135 Year-2018 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. Udaibhan Jha Son of Late Jagdish Jha Village-Bauki Police Station- Madhepur District-Madhubani
 2. Jaibhan Jha Son of Late Jagdish Jha Village-Bauki Police Station- Madhepur District-Madhubani
 3. Anant Kumar Jha @ Anand Jha Son of Udaibhan Jha Village-Bauki Police Station- Madhepur District-Madhubani
 4. Sonu Kumar Jha @ Sonu Jha Son of Udaibhan Jha Village-Bauki Police Station- Madhepur District-Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Most. Anita Devi Wife of Late Chandra Bhan Jha Village- Bauki Ps- Madhepur Dist- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Prasad, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 20-09-2024 Heard Mr. Ashok Kumar Prasad, learned counsel

for the petitioners and Mr. Pramod Kumar Pandey, learned APP

for the State.

2. The petitioners apprehend their arrest in connection
with Complaint Case bearing C.R. No. 135 of 2018 dated
14.03.2018 registered for the offences punishable under
Sections 341, 323, 452, 379 and 354 B of the Indian Penal
Code.

3. Learned counsel appearing for the petitioners



submits that the deceased husband of the complainant and petitioner nos. 1 and 2 are full brothers and a partition dispute is going on since long in between both the parties, so, the present complaint case is purely a civil dispute. It is further submitted that date of the the alleged occurrence is 25.02.2018 but the complaint was filed on 14.03.2018 after a delay of seventeen days and regarding the said delay, no explanation has been given. Learned counsel further submits that the petitioners reside at Howrah North (West Bengal) and at the time of occurrence, they were in West Bengal. It is further submitted that petitioner nos. 3 and 4 are Central Government employee and serving in defence in West Bengal and all the petitioners have clean antecedent.

4. Learned APP for the State has opposed the prayer for bail of the petitioners.

5. Having considered the above submissions and mainly taking into account the nature of allegation appearing against the petitioners coupled with the fair and clean antecedent of the petitioners, this Court is inclined to accept the anticipatory bail prayer of the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest or surrender before the learned Court below within a period of six weeks



from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Complaint Case bearing C.R. No. 135 of 2018 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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