

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65372 of 2024

Arising Out of PS. Case No.-320 Year-2023 Thana- BAHERA District- Darbhanga

Munna Jha @ Manoj Kumar Jha S/O Late Krishna Kant Jha Resident of
Village- Nawada, P.S- Bahera, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-10-2024 1. Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail,
arises out of Bahera Police Station Case No. 320 of 2023,
disclosing offences under Sections 143, 341, 323, 325, 384, 504,
506, 34 of the Indian Penal Code.

3. As per the First Information Report, the informant's
husband Satish Jha is running a sweet shop at Bhagwati place,
Darbhanga and the petitioner is running a cold drink/eatery shop
beside the shop of the informant's husband. There is allegation
of demand of rangdari from the informant's husband and on
refusal, the petitioner assaulted the informant's husband and her
sons.

4. Learned Counsel for the petitioner submits that the



petitioner has falsely been implicated in the present case as a counterblast to the case lodged by the petitioner against the husband of the informant and others alleging demand of rangdari, snatching the money from him and assault made to him by the informant's husband and her sons. The FIR lodged by the petitioner is prior in time inasmuch as the incident against the petitioner took place on 23.07.2023 and the FIR has been lodged on 25.07.2023 and after lodging of the FIR on 25.07.2023, undated and without having any time of occurrence, typed FIR has been lodged on 26.07.2023.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that FIR, bearing Bahera P.S. Case No. 318 of 2023, lodged by the petitioner is prior in time, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.

7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Benipur, Darbhanga, in connection with Bahera Police Station



Case No. 320 of 2023, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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