

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66221 of 2024

Arising Out of PS. Case No.-89 Year-2023 Thana- RAJNAGAR District- Madhubani

1. Bhubneshwar Jha @ Bhuneshwar Jha @ Bhuvneshwar Jha Son of Late Laxmi Narayan Jha Resident of Village - Simari Satghara, Patratol, Ward No. 13, P.S. - Raj Nagar, District - Madhubani
2. Sudarshan Jha Son of Bhubneshwar Jha @ Bhuneshwar Jha @ Bhuvneshwar Jha Resident of Village - Simari Satghara, Patratol, Ward No. 13, P.S. - Raj Nagar, District - Madhubani
3. Purnima Devi Wife of Sudarshan Jha Resident of Village - Simari Satghara, Patratol, Ward No. 13, P.S. - Raj Nagar, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Adv.
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Rajnagar P.S. Case No. 89 of 2023 registered for the offences punishable under Sections 143, 341, 323, 307, 354(A), 379, 448, 427, 504, 506 of the Indian Penal Code.

3. As per prosecution case, the F.I.R. named accused persons along with some unknown persons armed with various weapons came at the place of occurrence started to assault the Informant with an intention to kill him due to which he



sustained injury on his head. They also assaulted the nephew of the Informant with Khanti. When two daughters of the Informant came there, the accused persons caught her hairs and thrown her down on the ground. They also torn her cloths and made her naked. It is also alleged that the accused persons also snatched the golden Dholna, golden ear-top and mobile from her possession.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. There is a case and counter case between the parties. He further submits that from the injury report, it appears that the injury sustained by the Informant side is simple in nature, caused by hard-blunt substance. There is also an old enmity between the parties and both sides have filed civil and criminal cases against each other. The petitioner no.3 has no criminal antecedent whereas the petitioner nos. 1 & 2 have one criminal antecedent each, as has been stated in paragraph no.3 of the present anticipatory bail application.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner, stating that the offence alleged against the petitioners is serious in nature and, hence, they do



not deserve privilege of anticipatory bail.

6. Considering the entire facts and circumstances of the case and taking into account the nature of injuries which is simple in nature, let the petitioners above-named, in the event of his 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 learned court below where the case is pending/successor court in connection with Rajnagar P.S. Case No. 89 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

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