

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69189 of 2024

Arising Out of PS. Case No.-285 Year-2024 Thana- JHAJHA District- Jamui

1. Jafruddin @ Md. Jafruddin Ansari S/o Sarfuddin @ Md. Sarfuddin @ Md. Sarfuddin Ansari R/o Village- Budhnar, P.S.- Jhajha, Dist.- Jamui
2. Jamir @ Jamil @ Jamiruddin Ansari S/o Sarfuddin @ Md. Sarfuddin Ansari R/o Village- Budhnar, P.S.- Jhajha, Dist.- Jamui
3. Farid @ Md. Farid Ansari S/o Sarfuddin @ Md. Sarfuddin Ansari R/o Village- Budhnar, P.S.- Jhajha, Dist.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sameer Ranjan, Adv

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-10-2024 Heard Learned Counsel for the Petitioners and
learned A.P.P. for the State.

2. The present Criminal Miscellaneous Application has been filed under Section 483 and 484 of The Bhartiya Nagrik Suraksha Sanhita, 2023 (hereinafter referred to as the “BNSS, 2023”) praying for regular bail in connection with Jhanjha P.S. Case No. 285 of 2024 lodged on 09.07.2024 under Section 191(1),190/191(3)/126(2),115(2),109,329(3),352 of the Bharatiya Nyaya Sanhita, 2023 (hereinafter referred to as BNS).

3. As per the prosecution case, F.I.R. has been lodged against sixteen named accused persons including the present



petitioners with an allegation that they have assaulted the informant side with lathi and danda.

4. Learned counsel for the petitioners submits that the petitioner is innocent and has committed no offence. He further submits that there is general and omnibus allegation against all the petitioner. He further submits that the cause of dispute is already mentioned in the F.I.R. Counsel further submits that the criminal antecedent of the petitioners are not clean. Petitioner no. 1 and 3 possess one criminal antecedent and petitioner no. 2 possess two criminal antecedent in which they are on bail. The petitioners are in custody since 09.07.2024. He further submits that he has attached the injury report and from injury report, it transpires that injury is simple in nature.

5. Learned APP for the State opposes the prayer for bail and submits that in the rejection order, it has been alleged that two persons have been brutally assaulted.

6. Learned Counsel for the informant vehemently opposes the prayer for bail and placed several photograph before this Court by which he want to convince this Court that injury is not simple.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioners above



named be granted bail *after framing of charge, if the charge is not framed yet* and *as well as on being satisfied by the Trial Court that both the petitioners are not absconding in any of the cases pending against them which are mentioned below* and on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1)(d) of BNSS to the satisfaction of Chief Judicial Magistrate, Jamui in connection with Jhajha P.S. Case No. 285 of 2024 subject to the condition laid down under Section 480(3) of BNSS.

Pending cases of the petitioner no.1 and 3 is :-

- Jhajha P.S. Case No. 01 of 2024.

Pending cases of the petitioner no.2 are:-

- Jamui SC/ST P.S. Case No. 38 of 2017
- Complaint Case No. 1256 of 2017

(Dr. Anshuman, J)

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