

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68610 of 2024

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

Lalan Jha S/O Bhavnath Jha R/O Simari Satdhara Mahapatra Tol, P.S-
Rajnagar, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Sinha, Adv.

For the Opposite Party/s : Ms.Pushpa Sinha, APP

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

ORAL ORDER

2 03-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Rajnagar P.S. Case No. 89 of 2023 (G.R. No. 545 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 the two daughters of the



Informant came there, the accused persons caught her hairs and threw 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 petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. Both the parties are next door neighbors and co-villagers. In the alleged occurrence, both sides have sustained injuries. The accused Manikant Jha has also filed F.I.R. bearing Raj Nagar P.S. Case No. 90 of 2023 against the prosecution side. There is no direct or specific allegation of assault against the petitioner rather the same are general and omnibus in nature. All the witnesses in this case are interested witnesses. 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 an admitted land dispute between the parties and the Title Appeal bearing No. 01/2010 is pending for disposal. The petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner, stating that the offence alleged



is serious in nature and, hence, the petitioner does not deserve privilege of anticipatory bail.

6. Considering the entire facts and circumstances of the case and there being no specific allegation of assault against the petitioner as also the petitioner having no criminal antecedent, let the petitioner, 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) 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 (G.R. No. 545 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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