

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2975 of 2024

Arising Out of PS. Case No.-508 Year-2023 Thana- AGAMKUAN District- Patna

Chandan Kumar Jha @ Chandan Jha S/O Bijay Bendre Jha @ Vijay Vendre
Jha R/O Village- Kumhrar, Near Fountain Restaurant, P.S- Agamkuan, Distt.-
Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sweta Jha W/O Chandan Jha @ Chandan Kumar Jha, D/O S.N. Jha R/O
Near Amrit Hospital Shiv Dayal Nagar, Harmu Housing Colony, P.S.-
Argora, Delatoli, Ranchi, Jharkhand, Pin Code- 834002

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Kumar, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Agamkuan P.S. Case No. 508 of 2023 dated 19.05.2023
instituted for the offence punishable under Sections 341, 323,
307, 354, 354(B), 427, 498(A), 504, 506, 509/34 of the Indian
Penal Code.

3. The prosecution case, in short, is that on 11.05.2023
in the evening, the father-in-law of the informant did not allow
the informant to enter the house and started assaulting her.
Again, on 17.05.2023 at about 2.00 pm, the in-laws of the
informant threw the daughter of the informant by dragging her



hair. On phone call, the petitioner (husband of the informant) exhorted his mother to kill the informant and her daughter. It is alleged that her brother-in-law(Devar) torn the cloth of the informant and outraged her modesty, and he also fired by pistol upon the informant, but she narrowly managed to escape. It is alleged that her in-laws assaulted the informant and her daughter by iron rod and pistol butt, which caused severe injuries to them.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that from the bare perusal of the F.I.R, it is apparent that the petitioner was not present at the place of occurrence, hence no offence is made out against the petitioner. Learned counsel for the petitioner submits that the informant is habitual to fight with the petitioner and her other in-laws and earlier also, she had lodged a case against the petitioner and his family members in the year 2020 bearing Agamkuan P.S. case No. 669 of 2020 and the same was compromised between the parties. Learned counsel for the petitioner further submits that the informant is highly desirous lady and she always use to demand money from the petitioner and her in-laws. They always fulfilled her demands and in



furtherance to fulfill her demand, they have transferred more than 50 lakh rupees in her account in last four years. Learned counsel for the petitioner submits that the informant is a political person who fought Municipal election in which she lost. Lastly, it has been submitted that petitioner has one criminal case against him which has also been lodged by the informant.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Agamkuan P.S. Case No. 508 of 2023, he will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., IV, Patna City subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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