

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3163 of 2025

Arising Out of PS. Case No.-271 Year-2024 Thana- SURSAND District- Sitamarhi

Ashutosh Kumar Jha S/O Subhash Chandra Jha R/O Vill.- Koriahi, P.S.-
Sursand, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.R. Kumar with
		Mr. Rakesh Bihari Singh, Advocates
For the Opposite Party/s	:	Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-01-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Sursand P.S. Case No. 271 of 2024, registered for the offences punishable under Sections 188, 189, 341, 323, 332, 353, 279, 504, 506, 34 of the Indian Penal Code.

3. On the fateful day, while the informant along with other police personnel were on patrolling duty, they received an information that public road is being damaged by the JCB and the tractor. Upon the information afore noted, the informant along with other police personnel reached to the place of occurrence and asked about the owner of the JCB, in the meantime, co-accused Satya Prakash Jha, Om Prakash Jha and two other persons came there on a four-wheeler vehicle and



started abusing the informant and other police personnel. The accused persons made obstruction in the discharge of official duty.

4. Referring to the FIR, learned Advocate for the petitioner contended that the entire allegation revolves around co-accused Satya Prakash Jha and Om Prakash Jha. So far as the petitioner is concerned, who is not named in the FIR, but lateron, during investigation, on instigation made by some unscrupulous person, his name has been implicated. The co-accused person, namely, Om Prakash Jha has already been allowed the privilege of anticipatory bail by this Court in Cr. Misc. No. 68459 of 2024 vide order dated 05.10.2024. The petitioner bears fair antecedent and he submits that he will fully cooperate in the proceeding of the court. Moreover there is no allegation of any overt act against any person.

5. On the other hand, learned Advocate for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that there is no allegation of any overt act against the petitioner, coupled with the fact that co-accused person, Om Prakash Jha has already been granted the privilege of anticipatory bail, and none of the



person has sustained any injury, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Sitamarhi in connection with Sursand P.S. Case No. 271 of 2024, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

Anjani/-

U		T	
---	--	---	--

