

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51969 of 2025

Arising Out of PS. Case No.-105 Year-2022 Thana- GHANSHYAMPUR District- Darbhanga

1. Bikram Kumar Jha @ Bikram Jha S/O Binod Jha @ Binod Kumar Jha R/O Village- Mahuar, P.O.- Asi, P.S.- Ghanshyampur, District- Darbhanga, Bihar-847203
2. Govind Kumar Jha @ Govind Jha S/O- Binod Jha @ Binod Kumar Jha R/O Village- Mahuar, P.O.- Asi, P.S.- Ghanshyampur, District- Darbhanga, Bihar-847203
3. Binod Jha @ Binod Kumar Jha S/O Late Ram Sundar Jha R/O Village- Mahuar, P.O.- Asi, P.S.- Ghanshyampur, District- Darbhanga, Bihar-847203

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-09-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 447, 385, 387, 504 and 34 of Indian Penal Code.

3. Learned counsel for the petitioners submits that the petitioner nos. 1 and 2 have antecedent of one case and petitioner no. 3 has antecedent of three cases. It is next submitted that the offences for which the instant FIR has been instituted carries punishment of 7 years and less. It is further submitted that petitioners were not given any notice under



Section 41A of the Cr.P.C., but then police in a mechanical manner submitted charge-sheet, based on which cognizance came to be taken, and thus petitioners apprehend their arrest.

4. Learned counsel for the petitioners next submits that informant alleges that petitioners along with others drove the labourers engaged by the informant for cutting tree of his orchard, on objection, the accused demanded extortion of Rs. 50,000/- and Bikram assaulted the informant by *lathi*.

5. Learned counsel for the petitioners submits that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to land, the occurrence is alleged to have taken place. It is next submitted that informant was cutting the trees of the orchard which belongs to the side of the petitioners. It is also submitted that petitioners will not abscond rather will cooperate in the trial to prove their innocence.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court 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 trial court where the case is pending/successor court in connection with Ghanshyampur P.S. Case No. 105 of 2022, subject to the conditions as laid down under Section 482 (2) of the BNSS.

8. However, it is made clear that in the event, if the learned trial court comes to a conclusion that petitioners after obtaining anticipatory bail are trying to delay the framing of charge or after framing of charge are delaying the trial in any manner, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

9. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

(Satyavrat Verma, J)

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