

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85480 of 2024

Arising Out of PS. Case No.-236 Year-2024 Thana- JHAJHA District- Jamui

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1. Nilesh Kumar S/O Shantanu Yadav R/o village- Baliyadih, P.S- Jhajha, Dist.- Jamui
 2. Abhishek Kumar S/O Shantanu Yadav R/o village- Baliyadih, P.S- Jhajha, Dist.- Jamui
 3. Shailesh Kumar @ Slaish Kumar S/O Shantanu Yadav R/o village- Baliyadih, P.S- Jhajha, Dist.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Raj
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 08-01-2025 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Jhajha Police Station Case No. 236 of 2024, dated 15.06.2024, disclosing offences punishable under Sections 452/376/511/379/34 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that on 14.06.2024, at about 7 PM, in intoxicated condition, the petitioners entered into the house of the informant, misbehaved with his daughter-in-law and the petitioner no. 2 attempted to commit rape upon her. It has



been alleged that the petitioner nos. 1 and 3 assaulted the informant and took away Rs. 1500/- from his pocket.

4. Learned Counsel for the petitioners submits that both the parties are agnates having land dispute. A counter case has been lodged by the side of the petitioners, bearing Jhajha Police Station Case No. 237 of 2024 against the informant and others for the occurrence which has taken place on the same date and time. Since both the parties belong to the same family, with the intervention of the well-wishers, they have arrived at a compromise and a joint compromise petition has been filed before the Court of learned District Judge, Jamui. The statement of the daughter-in-law of the informant was not recorded under Section 161 and/or 164 of the Code of Criminal Procedure, 1973.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are agnates, having land dispute and case and counter case is there, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their



arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui, in connection with Jhajha Police Station Case No. 236 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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