

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4155 of 2025

Arising Out of PS. Case No.-16 Year-2024 Thana- Fekla District- Darbhanga

1. Ram Ganesh Jha S/o- Late Gonar Jha Village- Yogyara PS- Fekla District- Darbhanga
2. Ajay Jha @ Ajay Kumar Jha @ Ajay Kumar S/o- Sri Ram Ganesh Jha Village- Yogyara PS- Fekla District- Darbhanga
3. Anshu Kumar Jha @ Anshu Jha @ Himanshu Jha S/o- Sri Ajay Jha @ Ajay Kumar Jha @ Ajay Kumar Village- Yogyara PS- Fekla District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 13, Advocate
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-03-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 324, 308, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, informant alleges that his father (petitioner No. 1) was pressurizing him to execute the land of his share in favour of his brother (petitioner No. 2) and when informant refused to do the same, these petitioners assaulted him by means of spade and brick as a result of which, informant sustained head injury.



4. Learned counsel appearing for the petitioners submits that petitioners are innocent and have committed no offence. As a matter of fact, it was informant who always used to pressurize petitioners to execute the entire land in his favour and when petitioners denied, informant lodged this false and concocted case against them. Allegation of assault is general and omnibus. Moreover, there is inordinate delay of 11 days in lodging the F.I.R. which itself creates doubt over veracity of the prosecution case. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application and submitted that injury caused by petitioner No. 2 is grievous in nature.

6. In view of the fact that petitioner No. 2 caused grievous injury, **prayer for anticipatory bail of petitioner No. 2 is refused.**

7. However, considering the nature of accusation against petitioner Nos. 1 & 3, the **anticipatory bail with regard to petitioner Nos. 1 & 3 is allowed** and it is ordered that the above named petitioner Nos. 1 & 3 in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of learned Additional Chief
Judicial Magistrate-I, Darbhanga in connection with Fekla P. S.
Case No. 16 of 2024, subject to condition as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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