

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10468 of 2026

Arising Out of PS. Case No.-304 Year-2025 Thana- SINGHWARA District- Darbhanga

1. Umesh Jha S/o Late Bedanand Jha R/o Village - Kaligaon, Ward No. 7, P.S - Singhwara, District -Darbhanga
2. Rajesh Kumar Jha @ Rajesh Jha S/o Umesh Jha R/o Village - Kaligaon, Ward No. 7, P.S - Singhwara, District -Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Kaushik Deo, Advocate
For the State	:	Mr. Tapeswar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 17-06-2026 Heard Mr. Baidya Nath Thakur, learned counsel for the petitioners and Mr. Mithlesh Kumar Jha representing the informant as also learned APP representing the State.

2. The petitioners are apprehending their arrest in connection with Singhwara Case No. 304 of 2025 registered for the offence under Sections 126(2), 115(2), 109, 303(2), 118(1), 352, 351(2), 191(2), 191(3) and 190 of the Bharatiya Nyaya Sanhita, lodged on 01.11.2025 by the informant, Suman Imlesh Jha.

3. As per the prosecution story, the informant alleged that he remained outside for work. The division of the land has already taken place between the family but his cousin brothers



were always creating problem and in continuation of that Singhwara P.S. Case No. 8 of 2024 was lodged earlier which is presently pending. The allegation is that they wanted the case to be withdrawn and accordingly, when the informant side chose not to accept the said proposal, after abuse, he assaulted. Allegation against both these petitioners is/are of assaulting along with other named co-accused and in the process both Suman Jha (informant) and Sumit Jha suffered number of injuries. This led to the FIR.

4. Learned counsel for the petitioners submits that both are agnates, informant and the accused persons are own cousin brothers. There is case and counter case and the accused have also suffered. These two petitioners include an 80 years old Umesh Jha as also his son, Rajesh Kumar Jha who is around 50 years of age. The submission is that a perusal of the injury report would show that on the vital organs, it has been found to be simple in nature.

5. The further submission is that the families have come to terms, have compromised and last submission is that without accepting the allegation or outcome of the present petition, as a token of gesture, these two petitioners want to contribute Rs.25,000/- to the informant towards treatment by



Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted at the time of execution of bail bond.

6. Learned counsel for the informant on the other hand submits that though there is case and counter case, the kind of assault that took place, certainly, it cannot be said that they are own cousin in as much as the informant/brothers suffered number of injuries, he is further unaware of any comprise that took place between the parties.

7. Having heard the parties, it is unfortunate that for a piece of land the family members resort to such assault that both side have to be shifted to the hospital. Anything which can be settled in a peaceful manner and/or knocking the doors of the civil court, it is hard to believe that the family resort to violence which leads to case and counter case.

8. Earlier, the coordinate Bench called for the case diary and the injury report which is/are on record, the reports shows that the injuries inflicted by these petitioners mostly have been found to be simple in nature, these two petitioners have no criminal antecedent and if the contention of the petitioners is/are to be accepted, they have come to terms and are leading a peaceful life.



9. Taking into account the entire facts as also the age of these two petitioners, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs.25,000/- to the informant as undertaken by the learned counsel on the instruction of the petitioners through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted at the time of execution of the bail bond and after checking credentials to be handed over to the informant.

10. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of Additional Chief Judicial Magistrate-VII, Darbhanga, in connection with Singhwara P.S. Case No. 304 of 2025 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the petitioners shall be appearing before the Police Station as and when required for cooperating in the



investigation;

(iii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the petitioners shall appear before the concerned police station every month for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(v) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

Vinayak/Ankita

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