

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35589 of 2019

Arising Out of PS. Case No.-217 Year-2018 Thana- THAWE District- Gopalganj

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Asharfi Sah Son of Late Narain Sah Resident of Village - Bhusaw, P.S.-
Thawe, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 17-09-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner apprehends his arrest in connection with Thawe P.S. Case No. 217 of 2018, registered under Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code.

The allegation against the petitioner, as per FIR, is that the petitioner along with other accused persons arrived at the house of the informant and started abusing him. It has further been alleged that on protest one Prasan Kumar Prasad assaulted the informant by means of *Tangi* on his head and one Hari Mohan Prasad inflicted *Garasi* blow on informant.

Learned counsel for the petitioner submits that there is no specific allegation against the petitioner and there is land



dispute between the parties. He further submits that the persons against whom allegation is of assault upon the informant have been granted anticipatory bail in Crl. Misc. No. 35285 of 2019.

After having heard learned counsel for the parties and taking into consideration the fact that there is no specific allegation of assault against the petitioner and co-accused persons against whom allegation of assault upon the informant is there have been granted anticipatory bail, I am inclined to grant anticipatory bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Thawe P.S. Case No. 217 of 2018; subject to condition as laid down hereinabove and under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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