

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50056 of 2022**

Arising Out of PS. Case No.-116 Year-2022 Thana- KALYANPUR District- Samastipur

1. ANIL KUMAR SAH Son of chandeshwar Sah Resident of Mohalla - Madhu Tol, P.S.- Khanpur, District - Samastipur.
2. SUNIL KUMAR SAH son of Chandeshwar Sah Resident of Mohalla - Madhu Tol, P.S.- Khanpur, District - Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anirudh Kumar Sinha, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      08-12-2022      Heard the parties.

Petitioners apprehend their arrest in a case registered for offence punishable u/s 341, 323, 325, 379, 354(a), 504, 34 of IPC.

Allegedly, petitioners along with other co-accused persons abused the informant and when she raised objection, petitioner no.1 assaulted her by means of helmet on her face. Petitioner no.2 assaulted her by a pipe. They misbehaved with her and snatched ornament.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case and the allegations as mentioned in the FIR are false and concocted. No such occurrence, in the manner as alleged, has ever taken place. It is further stated that



there is land dispute between the parties for which Title Suit No. 206/2021 is pending between the parties. Due to land dispute. The name of the petitioners and his family dragged in the present case due to previous enmity. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the injury is simple in nature caused by petitioner no.2, let the above named petitioner no. 2, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Khanpur P.S. Case No.116 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, the injury is grievous in nature caused by petitioner no.1, I am not inclined to enlarge him on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly partly allowed.

**(Anjani Kumar Sharan, J)**

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