

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61602 of 2021**

Arising Out of PS. Case No.-190 Year-2020 Thana- HATHAURI District- Muzaffarpur

VINAY SAH S/o Upendra Sah R/v Baluahan, P.S.- Hathauri, District-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Sujata Sinha

For the Opposite Party/s : Mr.Ram Sumiran Rai

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 13-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Hathauri P.S. Case no. 190 of 2020 instituted for the offence under Sections 341, 323, 379, 308, 504 and 34 of the Indian Penal Code.

Prosecution story relates to scuffle over a dispute of family partition. Petitioner has assaulted by means of Farsa on the head of the informant resulting into head injury.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has been falsely implicated in this case. Both parties are agnates and over a dispute regarding family partition, scuffle took place. Members



of both sides have received injuries. General and omnibus allegations have been levelled against the petitioner. Both parties have received injuries in alleged occurrence. They have got no criminal antecedent. The matter relates to civil dispute. It appears from the impugned order that to support the prosecution story, there is no injury report.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Hathauri P.S. Case no. 190 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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