

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9760 of 2023

Arising Out of PS. Case No.-298 Year-2022 Thana- CHANPATIA District- West Champaran

KULDEEP SAH Son of Late Vipat Sah R/O Village - Jinwaliya, P.S.-
Chanpatiya (Sirisiya), District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Rajendra Singh, APP.

Mr. Umesh Kumar Gupta, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-04-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 323, 324, 341, 307, 504, 34 of the Indian Penal Code.

Allegedly, after some altercation, petitioner is said to have given *Farsa* blow on the neck of the informant and poked *Bhala* in back of his father due to which they sustained injury.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Both sides have filed cases against each other. This case is counter blast of Chanpatiya (Sirisiya O.P.) P.S. Case No. 283 of



2022 by co-accused Arjun Sah (now dead). Though there is allegation of assaulting by *Farsa and Bhala*, but as per the injury report, the informant has sustained some lacerated wounds of simple nature whereas his father has not sustained any sharp cut or penetrating wound as alleged in the FIR. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the injury does not support the prosecution case, let the above named petitioner, 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 Chanpatiya (Sirisiya O.P.) P.S. Case No. 298 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

