

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17056 of 2023

Arising Out of PS. Case No.-257 Year-2022 Thana- MUSAHARI District- Muzaffarpur

SHAMBHU RAI Son of Jailal Rai Resident of village - Taraura Gopalpur,
P.S.- Mushahari, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 11-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341, 323, 325, 354(B), 379, 313,
504, 506/34 of the IPC.

Allegation as per the F.I.R. is that six accused persons
including the petitioner assaulted the younger sister of the
informant due to which her child died in womb.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to land dispute. No
such occurrence, in the manner as alleged, has ever taken place.
The allegation leveled against the petitioner is not specific
rather general and omnibus in nature. There is an admitted land



dispute between the parties. The injury report as not supported the prosecution case, which is enclosed at Annexure-2 of the bail application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the injuries are simple in nature, 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 Mushahari P.S. Case No.257 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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