

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26286 of 2023

Arising Out of PS. Case No.-242 Year-2022 Thana- KHODAWANDPUR District- Begusarai

1. LALBABU SAHU @ LALBABU SAH Son of Late Laddu Lal Sahu R/V-
Aijni P.O- Aijni PS- Khodawandpur (Chhaurahi O.P) Dist- Begusarai
2. Vivek Kumar @ Vivek Sahu @ Vivek Sah son of Late Laddu Lal Sahu R/V-
Aijni P.O- Aijni PS- Khodawandpur (Chhaurahi O.P) Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Onkar Nath, Adv.
For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-07-2023 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners apprehend their arrest in a case registered
for the offence punishable u/s 341, 323, 325, 326, 354(B), 379,
504, 506 and 34 of the IPC.

As per the prosecution case, petitioner no.2 is said to have
thrashed the informant on the land and petitioner no.1 along
with other co-accused persons are said to have assaulted the
informant. It is further alleged that petitioner no.2 assaulted the
husband of the informant.

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 due to ulterior motive. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. For the alleged occurrence, there is case and counter-case between the parties. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that there is allegation against the petitioner no.2 to assault the husband of the informant, whose one injury was found grievous in nature.

Having regard to the facts and circumstances of the case, since one injury of the informant's husband was found grievous in nature, I am not inclined to enlarge the petitioner no.2 on anticipatory bail. The prayer for grant of bail on his behalf is hereby rejected.

However, since the injury of the informant is simple in nature, let the above named petitioner no.1, 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 Khodawandpur (Chhaurahi O.P.) P.S. Case
No.242 of 2022, corresponding to G.R. No.248/2022, subject to
the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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