

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23036 of 2023

Arising Out of PS. Case No.-130 Year-2022 Thana- PIPRAKOTHI District- East Champaran

1. Saryug Sahani Son Of Hari Sahani Resident Of Village- Hathiyahi, P.S. - Pipra Kothi, Distt. - East Champaran
2. Faguni Sahani @ Faguni Chaudhary Son Of Hajari Sahani Resident Of Village- Hathiyahi, P.S. - Pipra Kothi, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-07-2023 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners seeks permission to withdraw this application as against the petitioner no.2, as she has already been arrested by the police, during pendency of this application.

Permission is granted.

Accordingly, the instant application as against the petitioner no.2 is dismissed as withdrawn.

Now, this application is being heard for consideration of anticipatory bail as against the petitioner no.1 only.

The petitioner no.1 is apprehending his arrest in a



case registered for the offence punishable under Sections 447, 341, 323, 324, 307, 354B, 379, 504 and 56/34 of the Indian Penal Code pending in the learned court below.

There is allegation against petitioner no.1 that he assaulted the wife of the informant.

Learned counsel for the petitioner no.1 submits that the petitioner no.1 is innocent and has been falsely implicated in this case. He further submits that there is admitted land dispute between the parties for which Title Suit No.66/2010 is pending between the parties. He submits that the injury found upon the victim is simple in nature. He further submits that the occurrence took place on 27.04.2022 and FIR lodged on 02.05.2022 after a delay of 5 days and there is no any explanation of it which creates serious doubt about prosecution case. He further submits that petitioner no.1 has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances and the fact that there is civil dispute between the parties, let the petitioner no.1, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail



bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Pipra Kothi P.S. Case No.130/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

ajay/-

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

