

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43518 of 2023

Arising Out of PS. Case No.-142 Year-2022 Thana- BALTHAR District- West Champaran

1. Sadir Alam @ Sadre Alam Son Of Chingi Gaddi Resident Of Village- Bhawri, Ward No 12, Ps -BALTHAR, District- West Champaran
2. Lahwar Gaddi Son Of Osiar Gaddi Resident Of Village- Bhawri, Ward No 12, Ps -BALTHAR, District- West Champaran
3. Alif Gaddi @ Manif Gaddi Son Of Mojahir Gaddi Resident Of Village- Bhawri, Ward No 12, Ps -BALTHAR, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh
	:	Mr. Bashishtha Narayan Mishra
	:	Mr. Sachida Nand Rai
	:	Mr. Avinash Raj

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-08-2023 Heard learned counsel for the petitioners and learned
APP for the State assisted by learned counsel for the informant.

2. The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 447, 307 and 504/34 of the Indian Penal Code pending in the learned court below.

3. As per the prosecution case, petitioners along with other co-accused persons are said to have assaulted the informant and her husband by means of various deadly weapons.

4. Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case. He submits that there is no specific overt act against the petitioner no.2 & 3. He further submits that there is allegation against petitioner no.1 to assault the informant and informant sustained three injuries out of them two are simple in nature and one is grievous in nature. He further submits that petitioners has got no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State along with learned counsel for the informant opposes the prayer for bail and submits that petitioner no.3 has suppressed the criminal antecedent in para-3 of the bail application. Therefore, he does not deserve anticipatory bail.

6. Considering the aforesaid facts and circumstances, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each 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 Blathar P.S. Case No.142 of 2022, subject to the condition as laid down under



Section 438 (2) of the Cr.P.C.

7. However, the learned Court below is directed to verify the criminal antecedent of the petitioner no.3. If any criminal antecedent will find out against the petitioner no.3, the bail bond of the petitioner no.3 shall not be accepted by the learned Court below.

(Anjani Kumar Sharan, J)

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