

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48140 of 2023

Arising Out of PS. Case No.-150 Year-2020 Thana- SATHI District- West Champaran

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1. SHAMI AHMAD @ SHAMI @ CHHOTU Son of Sarfuddin Sheikh
Resident of village-Khoda Deuliya, P.S. - Shikarpur, Distt. - West
Champaran
 2. SK. ANSAR @ ANSAR ALAM @ SHEIKH ANSAR Son of Manjur Alam
Resident of village - Khoda Deuliya, P.S. - Shikarpur, Distt. - 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.Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 23-08-2023 1. Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Sathi Police Station Case No. 150 of 2020, dated
02.09.2020, disclosing offences punishable under
Sections 341/323/324/307/379/504/34 of the Indian Penal
Code.
3. The prosecution case, as per the First Information Report,
is that on 01.09.2020, the wife of the brother-in-law of the
informant, who was residing with the informant for
sometime, fled away with ornaments, a sum of Rs.
20,000/- and one mobile phone, from the house of the



informant and when the informant went to her parental home, the family members of the lady, including the petitioners, assaulted the informant and his brother. It has further been alleged that the petitioners assaulted the brother of the informant by means of farsha and iron-rod on his head.

4. Learned Counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case due to family dispute. He further submits that as per the First Information Report, the petitioners have assaulted the brother of the informant, namely, Sk. Salauddin, but from the injury report (Annexure 2), it would be evident that only one injury has been caused to the brother of the informant, which is simple in nature. He next submits that the lady, who was residing in the house of the informant, has also lodged First Information Report against the informant and others, bearing Chanpatia Police Station Case No. 512 of 2020.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the injury caused to the brother of the informant is simple



in nature, the genesis of the occurrence is due to family dispute and the lady has also lodged First Information Report against the informant and others, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 3rd Additional Chief Judicial Magistrate, West Champaran, at Bettiah, in connection with Sathi Police Station Case No. 150 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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