

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44861 of 2022

Arising Out of PS. Case No.-13 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Lal Babu Sah, son of Kedar Sah, Resident of Village - Rajaura, P.S.- Muffasil,
Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Braj Bhushan Poddar, Advocate.
For the Opposite Party/s : Mr.Jagdhar Prasad, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 27-03-2023 Heard Mr. Braj Bhushan Poddar, learned counsel

appearing on behalf of the petitioner and Mr. Jagdhar Prasad,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Begusarai Muffasil P.S. Case No. 13 of 2022 registered for
the offence punishable under Sections 341, 323, 504 and 506 of
the Indian Penal Code.

3. Prosecution story, in brief, is that the petitioner
abused and misbehaved with the wife of the informant. When
the informant intervened not to abuse his wife, the petitioner
threw hot tea on the face of the informant and extended
threatening of dire consequences.

4. Learned counsel appearing on behalf of the



petitioner submitted that though the informant has tendered appearance before this Court, but today he avoided to appear. Taking into consideration the allegation made against the petitioner, he submitted that no case is made out against the petitioner as alleged in the F.I.R. The informant was on inimical terms with the petitioner and in fact the informant has abused the wife of the petitioner which led to such occurrence and there was no occasion for the petitioner to throw hot tea on the face of the informant. He further submitted that the injury sustained by the informant is simple in nature as it would appear from Para-79 of the case diary.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Taking into consideration the nature of allegation against the petitioner, due to some scuffle such incidence has taken place between the informant and the petitioner as well as the injury sustained by the informant is simple in nature as it would appear from Para-79 of case diary, this Court finds that the petitioner has, *prima facie*, made out a case to be released on bail.

7. The petitioner is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the



Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai in connection with Begusarai P.S. Case No. 13 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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