

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48625 of 2023

Arising Out of PS. Case No.-153 Year-2022 Thana- RIGA District- Sitamarhi

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Achchhelal Sah @ Akshey Kumar R/O-Chotahi, Ward No. 15, P.S.-RIGA,
Distt.-SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Murari

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 12-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 354, 354(B), 379, 504, 506/34 of the Indian Penal Code.

3. The allegation against the petitioner is that he along with other co-accused persons assaulted the informant and his wife.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the allegation against the petitioner is of assaulting the



informant with *dabiya* on his head but the injury was found simple in nature as per the injury report enclosed in the case diary. He further submits that the petitioner is own brother of the informant and the occurrence took place due to distribution of money. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case as well as the fact that the injury was found simple in nature, let the above named petitioner, 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 Riga P.S. Case No. 153 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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