

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.55047 of 2023

Arising Out of PS. Case No.-360 Year-2022 Thana- UJIYARPUR District- Samastipur

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BABU LAL SAHNI SON OF LATE JHARI SAHNI VILLAGE - BELARI,
P.S. -UJIYARPUR, DISTRICT - SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan

For the Opposite Party/s : Mr. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 30-08-2023 Heard learned Counsel for the petitioner and

learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Ujiyarpur Police Station Case No. 360 of 2022,
disclosing offences under Sections
147/148/149/341/323/324/354(B)/379/504/506 of the Indian
Penal Code.

The prosecution case, on the basis of the First
Information Report, is that the petitioner along with other
accused persons assaulted the informant and misbehaved with
her and took away gold ornaments and when her son, namely,
Ankit Kumar, intervened in the matter, the petitioner assaulted



him with knife causing injury near his mouth.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to dispute regarding passage between the parties. Both the parties are neighbours and injury caused to the son of the informant is simple in nature, as would be evident from the impugned order itself. He further submits that there is counter case also lodged by the side of the petitioner.

Having regard to the submissions made on behalf of the parties and taking into consideration the materials available on records and the fact that both the parties are neighbours, there is case and counter case, the dispute between them is with regard to the passage and injury caused to the son of the informant is simple in nature, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Dalsingsarai, Samastipur in connection with Ujiyarpur Police



Station Case No. 360 of 2022, subject to the condition laid
down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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