

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.56434 of 2022**

Arising Out of PS. Case No.-130 Year-2022 Thana- PIPRAKOTHI District- East Champaran

Budhan Sahani, Son of Hari Sahani @ Hari Choudhary, R/V- Hathiya, P.S-  
Pipra Kothi, Dist- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      11-01-2023                      Heard learned counsel for the petitioner and the  
learned APP for the State.

The petitioner seeks bail in connection with Pipra  
Kothi P.S. Case No.130 of 2022 registered for the offence  
punishable under Sections 447, 341, 323, 324, 307, 354(B), 379,  
504, 506, 34 of the Indian Penal Code.

Eight accused persons have assaulted the informant.  
As per the prosecution case, the petitioner has inflicted the  
assault by *Farsa* on his head.

It is submitted by the petitioner's counsel that there  
was a free-fight between the parties as is manifest from the fact  
that counter version of same occurrence is found in Pipra Kothi  
P.S. Case No.129 of 2022, wherein the present prosecution party  
have been made accused. The assault by means of *Farsa* is not



corroborated by the injury report, inasmuch as injury sustained on the head of the informant is found to be by hard and blunt substance and simple in nature. There is no other injury on the informant showing that there was no repeated assault. The petitioner having no antecedents is in custody since 31.07.2022.

Learned APP for the State has opposed the prayer for bail. He has submitted that the petitioner is implicated by name of having assaulted the informant.

Considering the rival submissions and the materials available on record, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, 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 the learned C.J.M., East Champaran, Motihari, in connection with Pipra Kothi P.S. Case No.130 of 2022, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the



address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

**(Madhuresh Prasad, J)**

PNM

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