

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59081 of 2023

Arising Out of PS. Case No.-55 Year-2023 Thana- CHIRAIYA District- East Champaran

Bhola Sah, Son of Late Khedu Sah, Resident of Village - Ahirauliya, P.S. -
Chiraiya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 03-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Chiraiya P.S. Case No. 55 of 2023 registered for the alleged offences under Sections 341, 323, 324, 307, 354(B), 379, 504/34 of the Indian Penal Code.

3. As per prosecution case, due to dispute over right of way in which a Panchayati was being held, the petitioner and other co-accused persons started assaulting the husband of the informant and when the daughter of the informant tried to save her father, she was assaulted by this petitioner with legs and fists and he also tore her clothes. The informant was also assaulted and her *Mangalsutra* was snatched.

4. The learned counsel for the petitioner submits that



the petitioner is innocent and has been falsely implicated in this case. The petitioner is aged about 65 years and the allegations are false and concocted. The parties are next door neighbours and the dispute over right of way is admitted in the FIR itself. The petitioner is having clean antecedent.

5. Learned APP vehemently opposes the submissions made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of dispute and the possibility of false implication, let the petitioner, above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Chiraiya P.S. Case No. 55 of 2023, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so



required by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

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