

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64246 of 2022

Arising Out of PS. Case No.-104 Year-2022 Thana- BHAGWANPUR District- Vaishali

ASHOK SAHI @ ASHOK KUMAR SHAHI SON OF LAL BABU SHAHI
R/O VILL.- SAHTHA, P.S.- BHAGWANPUR, DISTT.- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 21-03-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable u/s 323, 324, 341, 354, 325, 307, 379, 504, 506 of the IPC.

As per prosecution case, all the F.I.R. named persons including the petitioner armed with pistol, sword, iron rod, lathi came into the shop of the informant and started teasing her. On protest by the son of informant, co-accused Manish Shahi assaulted him with iron rod on his head with intent to kill causing head injury. Thereafter, the accused persons assaulted other members of the informant's side indiscriminately.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation



leveled against the petitioner is not specific rather general and omnibus in nature. It is submitted that wife of present petitioner lodged a case Bhagwanpur P.S. Case No.223/21 against husband of the present informant and others for assaulting her and only with a view to retaliate, the present case has been lodged against the petitioner. The injuries sustained by the injured persons are simple in nature and one injury was reserved by the Medical Officer. Petitioner has two criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the injuries are 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 Bhagwanpur P.S. Case No.104/22, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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