

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14801 of 2024

Arising Out of PS. Case No.-475 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

Lalu Sahani @ Lal Babu Sahani @ Chaturbhuj Sahani S/o Late Saryug
Sahani R/o vill and P.O. - Husainpur, P.S. - Bochahan, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Bochahan P.S. Case No. 475 of 2023, registered for the alleged offence under Sections 341, 323, 354(B), 308, 504, 506/34 of the Indian Penal Code.

03. As per prosecution case, the petitioner and other co-accused persons assaulted the informant and her husband, causing a number of injuries to them.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to village politics. The petitioner is agnate of the informant and there is land dispute between the families of the petitioner and the informant. For this reason, petitioner has been



dragged in this case though he was not present at the place of occurrence. A partition Suit bearing No. 23 of 2016 between the family members of petitioner and informant is pending before the learned Sub-Judge-I, Muzaffarpur (East). The FIR has been registered after delay of ten days and it shows fabrication of prosecution story. The petitioner is having criminal antecedent of one case, in which, he is on bail.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the delay in lodging the FIR and probability of false accusation, 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. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur/concerned court in connection with Bochahan P.S. Case No. 475 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other 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)

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