

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19059 of 2024

Arising Out of PS. Case No.-122 Year-2023 Thana- SIWAIPATTI District- Muzaffarpur

LAL BACHCHAN SAHANI Son of Late Premishwar Sahani @
Parameshwar Sahani Resident of Village-Bara Bharti, P.S.-Minapur, District-
Muzaffarpur. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP
For the Informant : Mr. Shashi Bhushan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioner and learned A.P.P. for
the State assisted by learned counsel for the informant.

2. The petitioner apprehends his arrest in Siwaipatti P.S. Case
No. 122/2023 registered for the offences punishable under
Sections 341, 323, 379, 354, 307, 504 & 506/34 of the Indian
Penal Code pending in the Court of learned S.D.J.M. East,
Muzaffarpur.

3. The petitioner in association of other co-accused is said to
have assaulted the informant's side with weapon and also tried
to outrage the modesty of female members of informant's
family. The uncle of the informant was assaulted by means of
Dabiya who sustained grievous injury.

4. It is submitted by learned counsel for the petitioner that no
such occurrence as alleged ever took place. He has been falsely
implicated in this case due to dirty village politics. The



allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that there is delay of seven days in lodging the F.I.R. without assigning any cogent reason for the said delay which creates serious doubt about the prosecution case. The petitioner has seven criminal antecedents.

5. Learned APP for the State assisted by learned counsel for the informant vehemently opposing the bail petition submitted that the petitioner assaulted the uncle of the informant by means of dabiya due to which he sustained grievous injury. Hence, the petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of case as well as the criminal antecedents and the injury attributed by the petitioner, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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