

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28069 of 2024

Arising Out of PS. Case No.-332 Year-2023 Thana- SAUR BAZAR District- Saharsa

Dhirendra Kumar @ Dhirendra Sah S/o Late Chhoti Sah Resident of Bakhri,
Ward No.12, P.S. Sourbazar, District Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohit Agarwal, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 28-08-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in a case registered for the offences punishable in connection with Saur Bazar P. S. Case No.332 of 2023 under Sections 147, 148, 307, 323, 341, 354B, 379, 504 and 506 of the Indian Penal Code. and later on section 302 of IPC has been added.

3. As per the prosecution, the FIR has been lodged against nine named accused persons including the petitioner against whom there is allegation that they in connivance with each other have assaulted the husband of the informant and tried to outrage the modesty of the informant due to which injury caused by the accused persons and husband and one Mangal Sah injured and become unconscious. Subsequently during



treatment, section 302 of IPC has been added.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the informant and petitioner are agnates and on petty family matters, the dispute has occurred. He further submits that scuffling took place from both sides and both parties were injured.

5. Counsel further submits that for the same date and place of occurrence, one case from the informant's side and another case from petitioner's side have been lodged. He further submits that from the contents of both the F.I.R. itself, it transpires that for cutting of the soil at the nearby place, entire dispute has arisen.

6. Counsel also submits that antecedent of the petitioner is clean.

7. Learned APP for the State opposes the prayer for bail and submits that case diary has been called for and in the case diary, the cause of death is due to *lathi* blow.

8. In the present facts and circumstances, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bonds of



Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Saur Bazar P. S. Case No.332 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

Prakashmani/-

U		T	
---	--	---	--

