

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30897 of 2024

Arising Out of PS. Case No.-162 Year-2018 Thana- PAHARPUR District- East Champaran

Lal Babu Sah S/o Chuni Lal Sah R/o Village- Noneya Chaube Tola, P.S.-
Paharpur, Dist.- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-05-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 of the Indian Penal Code.

Earlier the prayer for anticipatory bail of the petitioner was permitted to be withdrawn vide order dated 09.12.2022 passed in Cr. Misc. No. 43598 of 2022.

The prosecution case as per F.I.R is that all the F.I.R named accused persons including the petitioner



armed with deadly weapons started constructing the house in the land of the informant. When the informant's side raised objections, on the order of co-accused Chunnilal Sah, the petitioner gave knife blow on the neck of the father of the informant which did not hit and the blow hit on his cheek. The accused persons also assaulted the informant, his brother and other persons of the informant's side.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. It is alleged against the petitioner that he assaulted with knife blow over the cheek of the father of the informant but the injury report of the father of the informant has been brought on record as Annexure-4 which suggests the injuries to be simple in nature. There is no accusation of repeating the blow against the petitioner and in the background of some land dispute, the present accusation has been levelled against the petitioner. A statement has been



made in para 3 of the petition that petitioner is accused in one other case apart from the present one.

In contra, learned A.P.P counsel appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XI, Motihari, East Champaran in connection with Paharpur P.S. Case No. 162 of 2018.

(Sunil Kumar Panwar, J)

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