

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39072 of 2024

Arising Out of PS. Case No.-911 Year-2022 Thana- TURKAULIYA District- East Champaran

Gopal Sah son of Pundeo Sah @ Punyadev Sah Village- Daroga Tola Ps-
Banjariya Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar, Adv.

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

3. As per the prosecution case, the the informant took
Rs.3500/- from the petitioner for treatment of her husband and
thereafter started demanding Rs.10,000/- including interest. It is
alleged that while demanding the said money, he abused the
informant and on protest, assaulted her by holding her and also
inflicted knife blow on her hips.

4. 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 due to grudge. No such
occurrence, in the manner as alleged, has ever taken place. It is



submitted that the alleged occurrence is said to have taken place on 13.09.2022 but the F.I.R. has been lodged on 19.09.2022 i.e. after delay of six days without giving any plausible explanation, which itself creates doubt about the prosecution case. Furthermore, the injury of the informant has been found simple in nature. Petitioner has one criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.
6. Having regard to the facts and circumstances of the case, since the injury was found simple in nature and considering the delay in lodging the F.I.R., 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 Turkauliya Banjariya P.S. Case No.911 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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