

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55571 of 2024

Arising Out of PS. Case No.-332 Year-2024 Thana- MAHUA District- Vaishali

Baliram Sahni @ Baliram Sahani S/o Jaglal Sahani R/o vill - Mahuwa,
Paharpur, P.S. - Vaishali, Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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For the Petitioner/s : Ms.Rupa Kumari, Advocate

For the Opposite Party/s : Mr.Ahmad Ali, APP

Mr. Ravish Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 03-09-2024

1. Heard learned counsel for the petitioner, learned

APP for the State and the learned counsel appearing on behalf of the informant.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 504, 379, 506, 307/34 of the IPC in connection with Mahuwa P.S. Case No.332 of 2024.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on account of dispute relating to land the accused persons including the petitioner entered her house and started abusing, on protest petitioner assaulted by Garasa causing injury her right cheek, further accused persons also assaulted her husband by *lathi* and *danda* and snatched her earring.



4. The learned counsel submits that petitioner has been falsely implicated in the instant case by the informant, it is next submitted that petitioner had instituted Mahuwa P.S. Case No.313 of 2024 against the informant, her husband and other accused persons alleging that on 06.05.2024 at 06.30 AM the accused persons came and on orders of Ravindra (husband of informant) caught him and Ravindra assaulted by hasuli, causing injury on head and dashed his wife on the ground, it is further submitted that the instant FIR is a counterblast to Mahuwa P.S. Case No.313 of 2024. It is next submitted that on account of dispute relating to land and altercation had taken place in which there was a free fight in between the parties and it may a possibility that informant of the instant case fell and received injury and in order to coerce the petitioner into submission who is informant of Mahuwa P.S. Case No.313 of 2024, the instant FIR was instituted. It is next submitted that petitioner has not assaulted the informant.

5. The learned APP and the learned counsel appearing on behalf of the informant opposes the anticipatory bail application, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that Mahuwa P.S. Case No.313 of 2024 was instituted



by the petitioner against the informant and her side prior to the institution of the instant FIR with the aforesaid allegation.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahuwa P.S. Case No.332 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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