

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62679 of 2024**

Arising Out of PS. Case No.-57 Year-2024 Thana- RASULPUR District- Saran

Balister Kumar Sah @ Balister Kumar son of Late Shri Krishna Sah @ Late Krishna Sah village- Charwa, Ps- Rasulpur, Dist- Saran at chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr. Dr. Indihar Kumari, APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      05-10-2024      Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 307, 325, 504, 506, 34 of the Indian Penal Code.

3. As per FIR, when the daughter of the informant, namely, Ravita Kumari, was returning home after plucking beans, co-accused Dharmendra Kumar tried to molest her by taking her away in a lonely place. When the informant's daughter came at home and narrated the whole incident to the informant, the informant along with others went to the house of co-accused Dharmendra Kumar for warning where all the FIR named accused persons having armed with deadly weapons attacked upon the informant's side and brutally assaulted them



due to which they sustained injuries. In course of alleged occurrence, the petitioner along with two other co-accused persons torn the clothes of one Sweta Kumari and tried to pull her towards their house.

4. It is submitted by learned counsel for the petitioner that the petitioner is quite innocent and has committed no offence. No such occurrence as alleged has ever taken place. Both the parties are agnates. Learned counsel further submits that the petitioner has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. There is no specific overt act against the petitioner, rather the specific allegation is levelled against co-accused Dharmendra Kumar. Learned counsel further submits that the real fact is that prior to the present case, the informant had taken a loan of Rs. 200000 from elder brother of the petitioner and when co-accused Dharmendra Kumar demanded his money from the informant, he along with whole family members assaulted him and when the family members of co-accused Dharmendra Kumar went to pacify the matter, a scuffle took place due to which both sides have sustained injuries. Petitioner has no criminal antecedent as mentioned in para-3 of this application.



5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, 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 Rasulpur P.S. Case No. 57 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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