

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64808 of 2024**

Arising Out of PS. Case No.-46 Year-2024 Thana- BHITAHA District- West Champaran

Abdullah Miya @ Chota Miya @ Mohammad Asduller @ Md. Abdullah S/o  
Kalimullah R/o Dhuniyapati, P.S.- Bhitaha, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                                            |
|--------------------------|---|------------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Arjun Prasad, Advocate<br>Mr. Hans Lal Kumar, Advocate |
| For the Opposite Party/s | : | Mr. Binod Kumar, APP                                       |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      17-10-2024      1.    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, 504/34 of the Indian Penal Code.
3.    Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that on 03.05.2024 at 2:30 PM he came for lunch at home when he had an altercation with his *bhabhi*, on which, his bhabhi called her husband i.e. elder brother of the informant. It is next alleged that his brother came and assaulted him by an iron rod causing injury on his head.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case by the informant. It is next submitted that the wife of the petitioner had instituted Bhitaha P.S. Case No. 47 of 2024 dated 10.05.2024 against the informant alleging that he had misbehaved. It is further submitted that the date of occurrence is 03.05.2024 and the F.I.R. came to be instituted on 10.05.2024 i.e. after a delay of more than 6 days without any plausible explanation. It is also submitted that the petitioner and the informant are own brother and when the informant misbehaved with his wife he had an altercation in which both side assaulted each other. It is also submitted that the petitioner is not a criminal.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bhitaha P.S. Case



No. 46 of 2024 subject to the conditions as laid down under  
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Guddu/-

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