

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67787 of 2024**

Arising Out of PS. Case No.-195 Year-2024 Thana- GOPALGANJ TOWN District-
Gopalganj

Shivbalak Sahani S/o Late Muni Sahani @ Munsii Sahani @ Mansi Shahni
R/o Village- Par Nawada, P.S. Nagar, District- Gopalganj
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocates
For the State : Mr. Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-10-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Gopalganj Town P.S. Case No. 195 of 2024 for the offence under Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code lodged on 09.03.2024 by the informant, Ajay Sahni.

3. As per the prosecution story, the informant alleged that the accused persons armed variously came and abused and thereafter assaulted causing injury on the head and had to go for 12 stitches, the younger brother was also assaulted who was treated at Sadar Hospital. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that there is admitted land dispute between the parties, omnibus allegation has been made, though injuries are there, each and



every family member has been implicated, he do not have criminal antecedent. Further, the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner(s) on its own would like to contribute towards the medical assistance of Rs.10,000/- through Demand Draft issued by the local State Bank of India to be submitted before the 'NAZARAT of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP opposed the prayer submitting that though other injuries have been found to be simple in nature one of them have been recorded as grievous.

6. Though allegation of assault/injuries are there, it is omnibus in nature which include the female members also, the petitioner do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail subject to payment Rs.10,000/- as undertaken by the learned counsel for the petitioner to be paid to the informant by Demand Draft of local State Bank of India to the Trial Court.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the



satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Gopalganj Town P.S. Case No. 195 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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