

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14036 of 2025

Arising Out of PS. Case No.-84 Year-2024 Thana- INDUSTRIAL AREA District- Vaishali

Ashok Sah Son of Late Ram Shankar Sah village - Hilalpur , P. S - Industrial
Area, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 28-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Industrial Area P.S. Case No. 84 of 2024 instituted for the offences under Sections 341, 323, 324, 307, 447, 354B, 379, 504, 506, 34 of the Indian Penal Code.

3. Prosecution case, in short, is that, the accused persons including the petitioner brutally assaulted the informant and her son due to which they sustained injuries.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the



petitioner. He further submitted that the only specific allegation against the petitioner is that he assaulted the informant on her head using *farsa* but as per the injury report of the informant, she sustained simple injuries caused by hard and blunt substance, which falsifies the allegation as levelled in the FIR. He further submitted that petitioner and informant are neighbours and there is admitted land dispute between the parties. It has been submitted on behalf of the petitioner that the petitioner has three criminal antecedents. The co-accused person has already been granted regular bail by this Court vide order dated 05.10.2024 passed in Cr. Misc. No. 71115 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that there is specific allegation of assault against the petitioner of giving *farsa* blow to the informant.

6. Considering the aforesaid facts and circumstances of the case, there being specific allegation of giving *farsa* blow to the informant, this Court is not inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the prayer for grant of anticipatory bail is rejected. However, liberty is granted to the petitioner to surrender before the learned court below within a period of six



weeks and seek regular bail. If any such application is filed, learned court below shall consider the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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