

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21014 of 2025

Arising Out of PS. Case No.-57 Year-2019 Thana- DUMARIAGHAT District- East
Champaran

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Babloo Sah Son of Rajeshwar Sah @ Gajru Sah Resident of Village - Puraina,
P.S. - Dumariyaghat, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-04-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection
with Dumariyaghat P.S. Case No. 57 of 2019 registered on
01.04.2019 for the offenses punishable under Sections 447, 341,
323, 324, 307, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution, the F.I.R. has been lodged
against five named accused persons, including the petitioner. It
is alleged that the accused persons assaulted the informant and
his wife. A specific allegation has been made against the
petitioner, stating that with the intention to kill, he pulled the
informant's testicle and also attacked him with a knife, causing
injury to his penis.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is contended that the allegations levelled against the petitioner are false and concocted. All the offences, except under Section 307 of the I.P.C., are bailable, and even Section 307 is not attracted in the present case, as there is no injury on any vital part of the body. It is further submitted that both parties are next-door neighbours, and there exists a long-standing land dispute between them. The petitioner has a clean antecedent.

5. The learned Additional Public Prosecutor for the State vehemently opposes the prayer for bail and submits that there is a specific allegation against the petitioner of causing injury to the informant.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Dumariyaghat P.S. Case No. 57 of 2019, pending before the learned A.C.J.M.-1, East Champaran, Motihari, is hereby rejected.

7. However, it is directed that the petitioner shall surrender before the Trial Court within a period of four weeks from today. In case the petitioner surrenders within this period, the Trial Court is directed to pass an order on his surrender-cum-



bail application on the same day, without being prejudiced by the fact that the petitioner’s anticipatory bail has been rejected by this Court.

(Dr. Anshuman, J)

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