

Arising Out of PS. Case No.-98 Year-2023 Thana- BABUBARHI District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Adv. Mr. Ravi Prakash, Adv. Mr. Udeshya Kumar Yadav, Adv.
For the Opposite Party/s	:	Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-04-2025 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 offence punishable under Sections 341, 323, 504, 354(B), 379, 313, 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that on account of dispute relating to grazing by goats in the field of Sita Devi, the occurrence took place, as Sita Devi objected, on which, Kalyani Devi called her family members including the petitioner and all the accused started assaulting Sita Devi and when informant went to save her, she was assaulted by Satrugan, Jugnu, petitioner and Nitish, further



Satrughan assaulted her on her abdomen, on account of which, she started bleeding as she was carrying pregnancy of three months and also suffered injury on her left hand.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant with general and omnibus allegation. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that specific allegation of assaulting the informant is against Satrughan and as far as petitioner is concerned, the allegation of assault is general and omnibus in nature. It is also submitted that petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

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 Court below 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 Babubarhi P.S.



Case No.98/2023, subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

7. However, it is made clear that in the event if the
Investigating Officer of the case files an application before the
learned trial court bringing to its notice that the petitioner
despite giving assurance to this court is not co-operating in the
investigation in that event the learned trial court shall be at
liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned
P.S. through the learned trial court.

(Satyavrat Verma, J)

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