

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84583 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- Manupul District- West Champaran

1. Shivji Sah @ Shiv Sah S/O Late Bhola Sah Resident of- Bharpatiya, P.S.- Manupul, District- West Champaran
2. Guddu Sah S/O Shivji Sah @ Shiv Sah Resident of- Bharpatiya, P.S.- Manupul, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Adv. Ms. Priyanka Singh, Adv.
For the State	:	Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 09-07-2025 Heard Mr. Y.C. Verma, learned senior counsel appearing for the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 34 of the Indian Penal Code.

3. The allegation in the FIR is that the accused persons named in the FIR including the petitioners came variously armed at the backside of the informant's house and on account of a land dispute, they indulged in assault. It has further been alleged that on the order of petitioner no.1, petitioner no.2 assaulted the informant on her head by means of *gadasi* and on the order of one Lalbabu Sah, Uma Sah was assaulted by one



Rajkumar on his head.

4. Learned senior counsel appearing on behalf of the petitioners, at the outset, submits that it would be apparent from the FIR itself that the alleged occurrence had taken place on account of a land dispute between the parties. It is also pointed out that during the course of investigation, the informant, whose statement has been recorded in paragraph 55 of the case diary, has given a completely divergent story stating that on account of a different reason, a dispute had taken place between the parties and Uma Sah was assaulted by someone, however, she does not even make a whisper about any assault upon herself. So far as the case of the petitioners are concerned, petitioner no.1 is alleged to be the order giver while petitioner no.2 is said to have assaulted the informant by *gadasi* on her head which does not stand supported by the statement of the informant herself during the course of investigation and also the injury report of the informant indicates that she has received injuries in the nature of abrasion which are simple in nature caused by hard and blunt object.

5. Learned APP for the State, however, opposes the prayer for anticipatory bail.

6. Considering the entire facts and circumstances of the



case, I am inclined to grant the privilege of anticipatory bail to the petitioners who have no criminal antecedent. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Manuapul P.S. Case No. 76 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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