

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.89148 of 2024**

Arising Out of PS. Case No.-365 Year-2022 Thana- SUGAULI District- East Champaran

Bhola Sah S/O Bigu Sah R/O Village- Chhapra Bahas, P.S.- Sugauli, Distt.-  
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner : Ms. Shiwani Kumari, Advocate  
For the State : Mr. Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      31-01-2025                      Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 07.08.2022 all the F.I.R. named accused persons, including this petitioner, surrounded the informant and thereafter co-accused Mukesh Bhagat assaulted on head of informant with iron rod. It is further alleged that this petitioner took out mobile and cash worth Rs. 5,636/- from pocket of informant.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has committed no offence. As a matter of fact, both parties are next door neighbours and due to a petty dispute over water drainage



this false and concocted case has been lodged. From bare perusal of the F.I.R. it is apparent that specific accusation of assault is against co-accused Mukesh Bhagat. Rest of the allegations are ornamental in order to make the case grievous. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari (East Champaran) in connection with Sugauli P.S. Case No. 365 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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