

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22818 of 2021**

Arising Out of PS. Case No.-241 Year-2020 Thana- NAUTAN District- West Champaran

MEHADI MIAN SON OF LATE KANHAI MIAN R/O VILLAGE-
MAJHARIYA KISHUN, P.S.- NAUTAN (JAGDISHPUR), DISTRICT-
WEST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Akshay Lal Pandit, A.P.P

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-11-2021 Heard Sri Sanjeev Kumar, learned counsel appearing
on behalf of the petitioner and Sri Akshay Lal Pandit, learned
A.P.P. appearing for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks bail in connection with
Nautan (Jagdishpur) P.S. Case No. 241 of 2020, for the
offence under Section 147, 148, 149, 120B, 109, 323, 324,
325, 326, 307 and 302 of the Indian Penal Code.

As per allegation made in the F.I.R. that on
13.07.2020 at about 9.00 P.M. Thag Miyan ordered all the
F.I.R. named accused persons, who were variously armed with
deadly weapons, to assault the father of the informant as a
result of which, he sustained multiple injuries and died during



the course of treatment. It is further alleged that in the alleged occurrence informant along with 4-5 persons were also assaulted by the petitioner and other co-accused.

Learned counsel appearing on behalf of petitioner submits that petitioner has falsely been implicated in this case due to prior land dispute. He further submits that petitioner is not named in the F.I.R. In course of investigation, he has been made accused in this case just because he is brother of one co-accused Allauddin Mian @ Alauddin Ansari. He further submits that petitioner is in custody since 21.01.2021, hence he deserves to be released on bail.

Learned A.P.P for the State submits that allegation made in the F.I.R. is serious in nature and he does not deserve bail for the offence committed under Section 307 and 302 of the I.P.C., which are non-bailable offence.

Having considered the facts and circumstances of the case and the fact that the petitioner has been named by the informant in course of investigation only on the ground that he is brother of one co-accused Allauddin Mian @ Alauddin Ansari, who has already been released on bail by a co-ordinate Bench of this Court on 06.04.2021 passed in Criminal Miscellaneous No. 1374 of 2021, prima facie the petitioner has made out a case for



grant of bail, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Nautan (Jagdishpur) P.S. Case No. 241 of 2020 subject to the following conditions:

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be the resident of territorial jurisdiction of the learned Court below.

(Purnendu Singh, J)

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