

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30274 of 2020

Arising Out of PS. Case No.-21 Year-2020 Thana- UCHKAGAON District- Gopalganj

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EHSAN MOHAMMAD @ EHSAN MAHMMAD @ EHSAN ALAM @
EHSAN AHMAD S/o Late Latif Miyan R/o Vill.-Nawada Parsowni, P.S.-
Uchakagawn, Distt.-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjana

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 05-01-2021 Heard the learned counsel for the petitioner and

Shri Ram Bilash Roy Raman, the learned APP appearing for the

State.

The petitioner seeks regular bail in connection with

Uchakagaon P.S. Case No. 21 of 2020 for the offence

punishable under Sections 302/34 of the Indian Penal Code .

The case of the prosecution in brief, according to

the informant, is that on 23.01.2020 at about 5 p.m. while the

informant was sitting with her mother near the door, the accused

persons including the petitioner herein had arrived at the door of

the house of the informant and had assaulted the mother of the

informant on account of previous dispute, pertaining to pathway.

The informant has levelled specific allegation against co-



accused person namely Mainuddin Alam @ Jokhan of assaulting the mother of the informant with iron rod, thereafter the other accused persons are also stated to have assaulted the mother of the informant, resulting in her death subsequently.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 20.02.2020. The learned counsel for the petitioner has further submitted that as far as the petitioner is concerned, no specific allegation of any sort of overt act has been levelled against the petitioner. Lastly, it is submitted that the main accused person, namely Mainuddin Alam @ Jokhan has already been granted bail by a co-ordinate Bench of this Court vide order dated 10.09.2020 passed in Cr. Misc. No. 22240 of 2020. It is also submitted that other similarly situated persons have also been granted bail by a co-ordinate Bench of this Court vide order dated 02.09.2020 passed in Cr. Misc. No. 22663 of 2020.

Per contra, the learned A.P.P. appearing for the State has vehemently opposed the prayer for bail, made by the petitioner.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel



for the parties and taking into account the materials available in the case diary as also considering the parity of the case of the petitioner with that of the accused persons, who have already been granted bail by a co-ordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Gopalganj in connection with Uchakagaon P.S. Case No. 21 of 2020.

(Mohit Kumar Shah, J)

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