

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40014 of 2020

Arising Out of PS. Case No.-190 Year-2020 Thana- BAIRIYA District- West Champaran

1. NOORHODA GADDI Son of Raghubir Gaddi
2. Jalaluddin Gaddi @ Kariman Gaddi Son of Late Mahavir Gaddi Resident of Village - Bhatwalia, P.S.- Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-03-2021 Heard learned counsel for the petitioners, informant and learned APP for the State.

Petitioners seek bail in a case registered for the offence punishable under Sections 147, 341, 323, 324, 302, 504 of the Indian Penal Code.

Allegation is that the accused persons including the petitioner assaulted the father of the informant by means of iron rod, lathi, fatta and stick, on account of which he sustained grievous injury and in course of treatment the father of the informant died in the hospital.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that charge-sheet has already been submitted and there is no allegation of tampering of witnesses by the



petitioners. He submits that there is general and omnibus allegation has been made. No specific injury has been attributed against the petitioners. As per the postmortem report, there is single injury found on the body of the deceased. He submits that similarly situated co-accused has been granted bail by a Bench of this court in Cr. Misc. No. 37089 of 2020 on 02.02.2021. He further submits that petitioners bear no criminal antecedent as stated in para-3 of the bail application and petitioner no. 1 and 2 are languishing in judicial custody since 15.06.2020 while petitioner no. 3 is in custody since 06.06.2020.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bairiya P.S. Case No. 190 of 2020.

(Anjani Kumar Sharan, J)

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