

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17889 of 2022

Arising Out of PS. Case No.-183 Year-2019 Thana- MUFFASIL District- West Champaran

MD. IRSHAD @ MD. IRSHAD ALAM @ NIRAHUA S/O SHEIKH IMAM
@ SHEIKH MOJAMMIL R/o village- Sheikh Dhurwa, P.S.- Bettiah Muffasil
(Manuapul), District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma, Advocate
		Mr. Abhishek Kumar, Advocate
		Ms. Rashmi Jha, Advocate
		Mr. Sharad Kumar Verma, Advocate
For the Opposite Party/s :		Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 06-01-2023 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that he received information about his father having been killed and his body lying by the side of the pond where he used to do the business of fishing. The informant further states that his father had disclosed to him about the three accused persons including Nanhe Mian having threatened him for



payment of *rangdari* of Rs.1 lac and that he would be killed in case he did not make the payment.

It is submitted by learned counsel for the petitioner that an unfounded suspicion has been raised against the petitioner. His case stands on a similar footing to that of co-accused Nanhe Mian who has been enlarged on bail vide order dated 30.8.2022 passed in Cr. Misc. no. 16710 of 2022. With respect to the statements made in the paragraph nos. 51 and 52 of the case diary it is submitted that the petitioner was not named in the F.I.R lodged by the watchman Jainarayan Mukhiya. The petitioner is in custody since 17.8.2021 and charge-sheet has been submitted in the case.

Heard learned A.P.P for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, the material that has transpired in course of investigation, grant of bail to co-accused Nanhe Mian by the aforesaid order dated 30.8.2022 and the petitioner having remained in custody for more than 1 year 4 months since 17.8.2021, the petitioner is directed to be enlarged on bail in connection with Bettiah Muffasil (Manuapul) P.S. Case no. 183 of 2019 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, West Champaran, Bettiah.

(Partha Sarthy, J)

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