

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27295 of 2023

Arising Out of PS. Case No.-399 Year-2021 Thana- NAUTAN District- West Champaran

Sikandar Sah Son Of Late Mahadeo Sah Resident Of Village - Banhaura Sota
Tola, P.S - Jagdishpur (Nautan), Distt. - West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Gupta
For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 341, 323, 324, 307, 302, 504 of the Indian Penal Code.

As per FIR, the allegation against the accused persons including the petitioner is that they armed with sticks, bricks, stones etc came at the house of the informant and started abusing and assaulting. It is further alleged that in the meantime co-accused, namely, Birendra Sah attacked



on the head of one Yamuna Sah due to which he sustained injury and during treatment he succumbed to injury.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to previous land dispute. There is no specific allegation of assaulting attributed against the petitioner rather general and omnibus allegation attributed against him. The specific allegation of assaulting is against co-accused who has already been granted bail vide order dated 08.02.2023 passed in Cr. Misc. No. 32399 of 2022 and the case of this petitioner stands on better footing. It is further submitted that the petitioner is languishing in judicial custody since 21.02.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Jagdishpur (Nautan O.P.) P.S. Case No. 399 of 2021 on



furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., West Champaran, Bettiah.

(Sunil Kumar Panwar, J)

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