

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30052 of 2023

Arising Out of PS. Case No.-148 Year-2022 Thana- YADOPUR District- Gopalganj

1. Dhodha Miyan Son Of Late Thag Miyan R/O Awadh Nagar Nayka Tola,
P.S.- Yadopur, District- Gopalganj
2. Kashidan Khatun Wife Of Dhodha Miyan R/O Awadh Nagar Nayka Tola,
P.S.- Yadopur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harsh Anuj, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 31-07-2023 Heard learned counsel appearing on behalf of the
petitioners and learned counsel appearing on behalf of the State.

2. The petitioners seek bail in connection with
Yadopur P.S. Case No. 148 of 2022 registered for the offence
under Sections 147, 148, 149 and 302 of the Indian Penal Code.

3. The accused/petitioners are named in the F.I.R. and
are in custody since 10.02.2023.

4. The allegation against the petitioners is to commit
murder of the son of informant alongwith other co-accused
persons by using sword, rod, *farsa*, etc., where occurrence is
arises out of local disputes and differences.

5. Learned counsel appearing on behalf of the



petitioners submitted that petitioners implicated falsely with present case out of local disputes and differences. It is submitted that there is no apparent reason to disbelieve the version of first informant, which claims to be an eye witness of the occurrence, raising specific allegation to cause fatal assault against co-accused Bhanu Anshari, Ashlam Anshari and Firoj Anshari without attributing any overt act, *qua*, physical assault against these petitioners. While concluding the argument, it has been submitted that petitioners are men of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, as allegation as to cause fatal assault is not available against these petitioners, coupled with the fact that charge-sheet has already submitted, where petitioners are in custody since 10.02.2023, accordingly both the petitioners, above named, are directed to be released on bail in connection with Yadopur P.S. Case No. 148 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial



Magistrate 1st Class, Gopalganj/concerned court, subject to the
conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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