

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44209 of 2022**

Arising Out of PS. Case No.-145 Year-2022 Thana- CHANPATIA District- West Champaran

Masir Mian Son Of Suleman Mian Resident Of Village- Gidha Ward No.2,  
P.S.- Chanpatia, District- West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar Shrivastava

For the Opposite Party/s : Mr. Mohammad Sufyan

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      09-01-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Chanpatia P.S. Case No. 145 of 2022 registered under Sections 323, 302 and 34 of the Indian Penal Code.

Allegation against the petitioner is that he along with co-accused persons assaulted upon the head of the informant's husband by means of lathi stick due to which he succumbed to injury during course of treatment and also assaulted informant's family members.

Learned counsel for the petitioner submits that the petitioner has innocent and has committed no offence. He has falsely been implicated in this present case due to village



enemies. It is further submitted from para-3 of the petition that petitioner has got no criminal antecedent. There is no specific allegation against the petitioner rather general and omnibus allegation levelled against him. According to postmortem report, the doctor has not ascertained about the cause of death. Petitioner is languishing in judicial custody since 31.03.2022.

The application for bail is vehemently opposed by learned APP for the State as well as learned counsel for the informant.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Chanpatia P.S. Case No. 145 of 2022 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, Bettiah, West Champaran.

**(Sunil Kumar Panwar, J)**

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