

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67164 of 2022

Arising Out of PS. Case No.-63 Year-2021 Thana- NAUHATTA District- Saharsa

MD. NISARUDDIN @ MUNNA SON OF LATE MAJLOOM R/O VILL.-
BARHARA WARD NO. 3, P.S.- NAUHATTA (DARHAR OP), DISTT.-
SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Nauhatta P.S. Case No. 63 of 2021 registered for the offence
punishable under sections 147, 148, 149, 341, 323, 307, 302,
504 and 506 of the Indian Penal Code.

As per allegation in the FIR, over a trivial dispute
several accused persons including the petitioner came to the
house of the informant and they started to assault his family
members as a result of his mother Navisha Khatoon received
severe injuries and died during treatment. Specific allegation
against the petitioner is that he assaulted to his sister Nanhi
Parween by means of lathi blow on her head.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. It is not



clear that by whom assault the mother of the informant's mother died. It is further submitted that deceased died due to cardio pulmonary arrest and petitioner has no role in the alleged occurrence. General and omnibus allegation has been levelled against the petitioner. Several co-accused persons have already been granted regular bail vide order dated 26.11.2022 passed in Cr. Misc. No. 10767 of 2022 and vide order dated 02.09.2022 passed in Cr. Misc. No. 30341 of 2022. Petitioner is languishing in judicial custody since 02.03.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Saharsa in connection with Nauhatta P.S. Case No. 63 of 2021.

(Sunil Kumar Panwar, J)

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