

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74634 of 2022

Arising Out of PS. Case No.-757 Year-2022 Thana- SIKARPUR District- West Champaran

Shikandra Baitha S/O Rajmahammad Baitha R/V- Ward No. 07, Chegauna,
P.S.- Shikarpur, District- West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/S

Appearance :

For the Petitioner/s : Mr.Ram Kishun Prasad

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 06-04-2023 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 341, 323, 448, 307, 354(B), 379, 304 and 34 of the Indian Penal Code.

As per prosecution case, informant alleged that on 17.09.2022, when the son of the informant was at his door in the meantime all FIR named accused persons including this petitioner came there in drunken condition and started abusing him and his family members, when his son protested then co-accused namely, Nanhe Biatha gave iron blow over head of his son due to which he sustained injury. It is further alleged that all accused persons including this petitioner assaulted and dragged his family members and when he came to save, all accused persons assaulted and snatched Rs. 2500/- from his pocket.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. There is no specific overt-act of assaulting has been made against the petitioner, he is only a member of mob. The main allegation is against co-accused, namely, Nanhe Bitha not against this petitioner rather it is a general and omnibus allegation against him. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 23.10.2022.

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 judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Shikarpur P.S. Case No. 757 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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