

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6679 of 2024

Arising Out of PS. Case No.-127 Year-2023 Thana- CHHAURADANO District- East
Champaran

Shaikh Sanaullah @ S. K. Sanaullah S/o Late Habal R/o Village- Naraul, P.S.
- Chhauradano, Dist. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Zaki Haider, Adv.

For the Opposite Party/s : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 16-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Chhauradano P.S. Case No. 127 of 2023 instituted for the offences under Sections 341, 323, 324, 307, 380, 447, 506, 504, 354(B), 34 and 302 of the Indian Penal Code added later on.

3. As per prosecution case, all the accused persons including the petitioner are said to have assaulted the Informant and his wife due to which both sustained injury and the wife of the Informant died in course of treatment. It is alleged that the accused Taufique took Garassa from the hand of the accused/petitioner and gave Garassa below on the head of the Informant's wife.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. There is a land dispute between the parties. There is no specific allegation of assault against the petitioner rather the same is general and omnibus in nature. The specific allegation of assault is against Md. Tafique and his family. His name has been implicated in this case due to enmity and dirty village politics. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application. The petitioner is languishing in judicial custody since 12.08.2023. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioner again submits that the co-accused person/Md. Wasim @ Waseem Ahmad has been granted bail by a Co-ordinate Bench of this Court vide order dated 09.02.2024 passed in Cr. Misc. No. 73746 of 2023. He further submits that co-accused Firoj Khatun @ Firoza Khatoon and Abda Khatoon and Sheikh Shamshad @ Bhola have also been granted anticipatory bail by a Co-ordinate Bench of this Court vide orders dated 14.09.2023 and 08.01.2024 passed in Cr. Misc. Nos. 55962 of 2023 and 82364 of 2023 respectively.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.



7. Considering the entire facts and circumstances of the case and taking into account there being general and omnibus allegation against the petitioner as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chhauradano P.S. Case No. 127 of 2023.

(Rudra Prakash Mishra, J)

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