

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6090 of 2024

Arising Out of PS. Case No.-49 Year-2023 Thana- PALANWA District- East Champaran

Nanhak Gaddi S/o Puran Gadi R/o Villl - Babueya, P.S. - Palanwa, Dist. -
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manjeet Kumar Mishra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 341, 323, 307, 379, 504 of the Indian Penal Code and later on Section 302 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioner are said to have assaulted the informant's *Nati* Rajkishor Mahto by means of deadly weapons as a result of which he sustained head injuries. They also committed *loot-pat* in the house of the informant and assaulted the family members of the informant as well. Rajkishor Mahto died in course of treatment.

4. It is submitted by learned counsel for the petitioner



that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and fabricated. It is further submitted that from bare perusal of the FIR, it appears that no accusation of any assault or overt act is attributed against the petitioner, rather there is general and omnibus allegation against him. Similarly situated co-accused have been enlarged on bail by a co-ordinate bench of this court vide order dated 06.12.2023 passed in Cr. Misc. No. 60394 of 2023. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner and similarly situated co-accused has been granted anticipatory bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection



with Palanwa P.S. Case No. 49 of 2023, subject to the condition
as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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