

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13277 of 2024

Arising Out of PS. Case No.-54 Year-2023 Thana- SAHODARA District- West Champaran

Nainesh Kumar, aged about 21 years, Gender-Male, Son of Rustam Mahto,
Resident of village Bethaniya P.S. Sahodara District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Minu Kumari, Advocate

Dr. Itti Suman, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sahodra PS Case No. 54 of 2023 instituted for the offences punishable under Sections 341, 323, 324, 325, 307/34 of the Indian Penal Code.

3. As per the prosecution case, all the named accused persons including the petitioner surrounded the informant's son and started assaulting with fist and kicks.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. It is further submitted that there is no specific overt act alleged against the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of



the petition. There is general and omnibus allegation against him. Petitioner is in custody since 22.05.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Additional District and Sessions Judge-II, West Champaran, Bettiah dated 02.11.2023, it appears that petitioner is named in the FIR and there is general and omnibus allegation against the petitioner. As per the records, it appears that investigation has been completed and chargesheet has been submitted in this case. Similarly situated co-accused persons namely, Ajay Kumar has been granted bail by this Court in Cr. Misc. No. 10328 of 2024 vide order dated 21.02.2024, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named 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 the learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Sahodra PS Case No. 54 of 2023.

(Ramesh Chand Malviya, J)

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