

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21295 of 2024

Arising Out of PS. Case No.-85 Year-2023 Thana- SATHI District- West Champaran

Sheikh Nejamuddin @ Nejamuddin S/o Sheikh Abdul Rahman @ Abdul Rahman R/o vill - Sirisiya, P.S. - Sathi, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 22-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in Sathi P.S. Case No. 85 of 2023, instituted for the offences punishable under Sections 147, 149, 341, 323, 307, 427 and 504 of the Indian Penal Code.

3. The prosecution case, in short, is that, an orchestra programme was going on in a marriage party, the petitioner along with other co-accused persons came and broke the light. They started to outrage the modesty of the ladies dancer, when the same was opposed by the injured Abdul Miyan they assaulted him with iron rod on his head and also assaulted Sukat Miyan.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. 10-12 unknown persons created commotion and



disturbance in the ongoing orchestra programme, they indulged into fight with the prosecution party on objection by them. Learned counsel for the petitioner further submits that there is no any specific allegation, rather general and omnibus allegation levelled against the petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner is languishing in judicial custody since 03.01.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sathi P.S. Case No. 85 of 2023.

(Rudra Prakash Mishra, J)

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