

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39265 of 2024**

Arising Out of PS. Case No.-217 Year-2019 Thana- BAGHA District- West Champaran

Bhola Pahalwan @ Bhola Mukhiya @ Bhola Yadav @ Bhola Rai Narainapur  
ward no 8 Ps- Bagaha Patkhauli District-west champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      29-05-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Bagaha (Patkhauli) P.S. Case No. 217 of 2019, lodged on 22.04.2019 under Sections 147, 148, 149, 341, 323, 324, 379, 307, 302, 506 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been lodged against 5 named accused persons including the present petitioner. The allegation against the petitioner is that he has stabbed the informant's son by knife due to which he sustain injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that the police has submitted final form showing



him not sent up for trial, but subsequently, cognizance has been taken against the present petitioner. Counsel further submits that the criminal antecedent of the petitioner is not clean and there are three criminal cases pending against him in which in all the cases, he is on bail. The petitioner is in custody since 20.02.2024 in the present case. Counsel further submits that other co-accused persons have been granted bail by the Coordinate Bench of this Court which is annexed as Annexure-3 series.

5. Learned APP for the State vehemently opposes the prayer for bail of the petitioner and submits that the present petitioner is Bhola Pahalwan against whom there is a specific allegation that he has stabbed the informant's son on his chest due to which the informant's son fell down and subsequently, he was brought to the hospital where the doctor declared him dead. Counsel further submits that it has been acknowledged by this Hon'ble Court that it is the Bhola Pahalwan who has taken dagger from Bittu Yadav and assaulted the informant's son and on this ground, bail has been granted to other co-accused persons.

6. In the present facts and circumstances, this Court is not inclined to grant regular bail to the petitioner.



7. Accordingly, the prayer for regular bail of the petitioner in connection with Bagaha (Patkhauli) P.S. Case No. 217 of 2019, pending before the learned A.C.J.M. 1<sup>st</sup>, Bagaha, West Champaran is **hereby rejected**.

**(Dr. Anshuman, J.)**

Divyansh/-

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