

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43255 of 2024

Arising Out of PS. Case No.-156 Year-2022 Thana- GHANSHYAMPUR District- Darbhanga

Md. Ashraf @ Araf Nadaf @ Md. Ashraf Aalis @ Aarif Nadaf @ Md. Ashraf
Nadaf S/O Md. Muslim Nadaf @ Md. Muslim R/O Village- Ghanshyampur
(Haripur) Toile, Badiya, P.S- Ghanshyampur, Distt.- Darbhanga.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-07-2024 Heard learned counsel appearing on behalf of the

petitioner and Mr. Jitendra Kumar Singh, learned A.P.P. for

the State.

2. The petitioner seeks bail in connection with

Ghanshyampur P.S. Case No. 156 of 2022 registered for the

offence under Sections 147, 148, 149, 341, 323, 324, 307

and 302 of the Indian Penal Code.

3. The accused/petitioner is named in the F.I.R.

and is in custody since 15.03.2024.

4. The allegation against petitioner is to commit

murder of nephew of informant along with other 24 named

co-accused persons and 20-25 unnamed co-accused



persons, where all the accused persons are the followers of particular region.

5. Learned counsel appearing on behalf of the petitioner submitted that the allegation is appearing very much general and omnibus against this petitioner in the background of the allegation as it is appearing from the narration of F.I.R. itself. It is submitted that similarly situated co-accused, namely, Md. Jasim has already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 11826 of 2023 vide order dated 05.05.2023. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has already submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above, by taking note of the fact as allegation qua physical assault causing death of nephew of informant is appearing very much general and omnibus against this



petitioner. coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 15.03.2024, accordingly, the petitioner above named, is directed to be released on bail in connection with Ghanshyampur P.S. Case No. 156 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate Biraul, Distt-Darbhanga/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J.)

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