

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55776 of 2024

Arising Out of PS. Case No.-74 Year-2020 Thana- SAHODARA District- West Champaran

Munna Nishad S/o Sri Bhikhari Bin @ Bhikhar Nishad @ Bhakhari Nishad
R/o vill - Parsa Dih, ward no. 3, P.S. - Sahodara, 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. Anil Kumar Singh No. 1, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 06-09-2024

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Sahodara P.S. Case No. 74 of 2020 registered for the offence punishable under sections 341, 323, 304, 337, 504/34 of the Indian Penal Code.

3. As per the prosecution case, it is stated that Bhikhar Nishad along with other accused persons including the petitioner herein assaulted the informant, his mother and other members of the family. It is further stated that as a result of assault and having pushed the informant's mother in fire, informant's mother was injured and subsequently died.

4. Learned counsel for the petitioner submits that from perusal of the F.I.R. it would be evident that the allegation



primarily is against Bhikhar Nishad. So far as petitioner herein is concerned he happens to be the son of said Bhikhar Nishad and the allegation levelled against this petitioner are general and omnibus in nature. Co-accused Bhikhar Nishad has already been granted regular bail vide order dated 16.4.2024 passed in Cr. Misc. No. 2340 of 2024. The petitioner has no criminal antecedent.

5. Learned APP for the State has opposed the prayer for bail.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner, final form having been submitted in the case though cognizance was taken by the learned court below differing with the final form, the allegation mainly being on Bhikhar Nishad who himself has been enlarged on bail vide order dated 16.4.2024 (Annexure- 3) passed in Cr. Misc. No. 2340 of 2024, this petitioner having no criminal antecedent, in the event of his arrest or surrender before the learned Court below within a period of four weeks is directed to be released on anticipatory bail in connection with Sahodara P.S. Case No. 74 of 2020, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of like amount each to the satisfaction of the



learned Judicial Magistrate, 1st Class, Bettiah, West Champaran,
subject to the conditions as laid down under section 438(2) of
the Code of Criminal Procedure.

(Partha Sarthy, J)

Ranjeet/-

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