

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63105 of 2024

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

Pannalal Nishad, S/o Mistri Nishad, Resident of Village- Parsa Dih, P.S.-
Sahodara, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-09-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sahodara P.S. Case no. 74 of 2020 registered under sections 341, 323, 504, 337, 304 and 34 of the Indian Penal Code.

3. As per the prosecution case, it is stated that the accused persons including the petitioner herein assaulted the informant and the members of his family. It is further stated that as a result of co-accused Bhikhar Nishad's assault, his mother sustained injuries and died subsequently. Information was given to the police station.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. From the



contents of the F.I.R. it would be evident that while the specific allegation of assault on the mother of the informant is on co-accused Bhikhar Nishad who has been enlarged on bail vide order dated 16.4.2024 passed in Cr. Misc. 2340 of 2024, so far as this petitioner is concerned, the allegations are general and omnibus in nature. The petitioner is in custody since 3.4.2024 and has no criminal antecedent. It is further submitted that on investigation, the police submitted final form as a mistake of fact, however differing from the final form, the learned Court below took cognizance under sections 304, 341, 323, 504 and 34 of the Indian Penal Code.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the police having submitted final form, though cognizance was taken differing from the same, grant of bail to co-accused Bhikhar Nishad vide order dated 16.4.2024 (Annexure-P/3) and the petitioner having remained in custody since 3.4.2024, the petitioner is directed to be enlarged on 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 the like amount each to the satisfaction of the
learned Judicial Magistrate Ist Class, Bettiah, West Champaran.

(Partha Sarthy, J)

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