

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15082 of 2025

Arising Out of PS. Case No.-296 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

Juman Sah @ Jumman Sah Son of Habib Sah Resident of village- Badlutola
PS -Chapra Muffasil District -Saran Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Nath Ojha, Adv.

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-03-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Mufassil P.S. Case No. 296 of 2024 dated 23.05.2024 registered for the offences punishable u/ss 302 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, on 18.05.2024, the elder aunt of the informant namely, Najima Khatoon went to the house of his neighbour in a marriage ceremony and on returning to the house then the petitioner and the co-accused persons having lathi, danda and sword in their hand came there and started abusing and challenging Najima Khatoon and when she



raised objection, all the accused persons started badly assaulting her. The co-accused, Azad Sah assaulted Najima Khatoon with lathi on her head due to which, her head was ruptured and blood started oozing out. When the other family members of the informant came to save her, they were also assaulted by the accused persons due to which they became injured. Neighbour came there and rescued the informant's side. All the injured were taken to the hospital for treatment and during the course of treatment, Najima Khatoon died.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The occurrence took place on 06.05.2024 but the F.I.R. was lodged on 18.05.2024 and there is no explanation for this delay. There is no specific allegation against the petitioner rather the specific allegation of assault is against the co-accused Azad Sah and Noor Mohammad. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged offence. The co-accused person has already been granted bail by this court vide order dated 03.03.2025 passed in Cr. Misc. No. 72700/2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.09.2024.



5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Saran at Chapra in connection with Mufassil Chapra (M) P.S. Case No. 296 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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