

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34001 of 2025

Arising Out of PS. Case No.-302 Year-2024 Thana- CHAUTHAM District- Khagaria

Sanjay Sada S/o Late Madhu Sudan Sada R/o Vill- Malpa, P.S.- Chautham,
Distt- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mritunjay Kumar, Adv.

For the Opposite Party/s : Mr.Satyendra Narayan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

02. In the present case, the petitioner is apprehending his arrest in connection with Choutham P.S. Case No.302 of 2024 registered for the alleged offences under Section 126(2), 191(2), 191(3), 190, 109, 115(2), 75, 303(2), 329(3), 127(2) of the B.N.S. and 3,4 of the Bihar Dayan Act.

03. As per prosecution case, after death of a child the petitioners and other co-accused persons making an unlawful assembly assaulted the mother of the informant alleging that she was a witch. The informant was also assaulted. When the police party reached there, the mob attacked the police party which was forced to open fire in air in order to rescue the mother of the informant.



04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There is no specific allegation against this petitioner either for calling the mother of the informant witch or assaulting her or the informant or the police party. Petitioner has no relationship with the dead child nor he has any enmity with the informant. In order to wreck vengeance, the informant falsely implicated whole of the village. The petitioner is having clean antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the clean antecedent of the petitioner and further considering the possibility of false accusation, let the petitioner above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned J.M.F.C., Khagaria in connection with Choutham P.S. Case No.302 of 2024, subject to the condition laid down under Section 482(2) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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