

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58509 of 2025

Arising Out of PS. Case No.-144 Year-2022 Thana- PAKRIDAYAL District- East Champaran

Bhola Mian @ Anullah @ Md. Anullah S/o Late Sifayat Mian @ Mo. Sifat
R/o village- Chorama Bangla Tola, P.S - Pakaridayal, District - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 147, 148, 149, 342, 302, 323, and 504 of the Indian Penal Code.

3. The case of the prosecution, in short, is that the petitioner along with six others forcibly took the deceased to an ‘Orchard’ and brutally assaulted him. The specific allegation is against Dinanath Sah and Timman Miya, who are said to have assaulted with the deceased ‘iron rods’ and ‘bricks’ on his back, as a result of which informant’s father succumbed to the injuries. Accordingly, the present FIR has been instituted.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that, from perusal of the post-mortem report, it would transpire that no internal or external injury was found on the person of the deceased and therefore, no clear cause of death has been opined by the doctor instead, viscera has been preserved and sent for forensic examination. It is further submitted that nature of allegation against the petitioner is general and omnibus. It is further submitted that co-accused, namely, Timan Miya @ Israfil, against whom there is specific allegation of assault upon the deceased, has already been extended the privilege of bail by a co-ordinate Bench of this Court vide order dated 15.02.2023 passed in Cr. Misc. No. 57207 of 2022. The case of this petitioner stands on better footing. Moreover, the petitioner has been languishing in judicial custody since 17.05.2025 having no criminal antecedent.

5. Learned APP appearing for the state has vehemently opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Pakaridayal P.S. Case No. 144 of 2022



on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, subject to condition that the petitioner shall co-operate in the trial.

(Ashok Kumar Pandey, J)

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