

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56305 of 2025

Arising Out of PS. Case No.-190 Year-2024 Thana- BIRAUL District- Darbhanga

Md. Arman @ Chand S/O Mintullah @ Bhola Resident of Village- Deokuli
Dham (Damaya), Police Station- Biraul, District- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-08-2025 Heard Mr. Nilendu Kumar Choudhary, learned counsel
for the Petitioner and Mr. Syed Mojibur Rahman, learned APP for the
State.

2. Petitioner seeks regular bail in connection with Biraul
P.S. Case No. 190 of 2024 dated 14.05.2024 registered for the
offences punishable under Sections 302, 120(B) and 34 of the Indian
Penal Code.

3. The main submissions advanced by the petitioner's
counsel are that as per the prosecution story, the petitioner and the
co-accused Md. Sitare first indulged in abusing the informant's
husband and thereafter as per the allegation, this petitioner pushed
the informant's husband causing him to fall to the ground thereafter,
the co-accused Md. Sitare assaulted him on the head with a lathi and
thereafter, the other co-accused persons who are ladies also assaulted
the victim resulting in his death during the course of taking him to
the hospital, even if the prosecution story is accepted, the only
allegation against this petitioner is having pushed the victim to the
ground and initially, an incident of abusing took place in between the
acused and the victim and this allegation clearly shows that the



petitioner was not having an intention to kill the deceased alongwith the co-accused, as per the post mortem report of the deceased, only two injuries were found on his body one was on head over mid occipital region which is specifically attributed to the co-accused Md. Sitare @ Imran and the same led to the death of the deceased. It is further submitted that the petitioner has been languishing in jail since 14.05.2024 having fair and clean antecedent and two co-accused persons who also allegedly assaulted the victim have already been granted bail by a co-ordinate bench of this court vide order dated 05.02.2025 passed in Cr. Misc. No. 89665 of 2024.

4. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. Considering the aforesaid submissions and mainly the nature of allegation appearing against this petitioner and his custody period as well as his fair and clean antecedent, this court is inclined to release him on bail. Accordingly, let the petitioner named-above 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 the concerned Court in connection with Biraul P.S. Case No. 190 of 2024.

(Shailendra Singh, J)

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