

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73126 of 2022

Arising Out of PS. Case No.-69 Year-2022 Thana- SIKTI District- Araria

FAHIM @ SAH FAHIMUDDIN S/o Mehruddin @ Sah Mehruddin @ Sah
Mahiruddin @ Shah Maherudin R/v- Salgodi, P.S.- Sikty, District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-06-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in connection with
Sikty P.S. Case No. 69 of 2022 registered for the offence
punishable under sections 147, 149, 341, 323, 379, 363, 365,
504 and 506 of the Indian Penal Code.

As per allegation in the FIR, the daughter of the
informant is said to have allegedly been trace-less and it is
alleged that she might have been killed by the brother-in-law of
the informant.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. The
present case is an outcome of retaliation of Sikty P.S. Case No.
54 of 2022 lodged by the petitioner against the family member
of the informant. . Occurrence took place on 5.3.2022 whereas



the FIR has been lodged on 16.3.2022 after a lapse of 11 days without any explanation of inordinate delay. Both the parties are relatives. He further submits that statement of the victim girl recorded u/s 164 Cr.P.C. is not supported by any medical evidence. After investigation, police has submitted charges-sheet against the petitioner. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 8.2.2023 passed in Cr. Misc. No. 47829 of 2022. Petitioner has got no criminal antecedent and languishing in judicial custody since 9.9.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned SDJM, Araria in connection with Sikty P.S. Case No. 69 of 2022.

(Sunil Kumar Panwar, J)

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