

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38941 of 2024

Arising Out of PS. Case No.-149 Year-2023 Thana- SINGHWARA District- Darbhanga

Md. Nadeem @ Ahmad Nadeem @ Nadim Ahamd S/O Kaushar Niyazi R/O
Vill- Rajo Rampatti, P.S- Singhwara, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 07-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Singhwara P.S. Case No. 149 of 2023 dated 01.08.2023, lodged under Sections 147, 148, 149, 448, 323, 324, 354, 302, 504, 506 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against 12 named accused persons including the present petitioner against whom there is an allegation that they have reached at the house of the informant with lathi, danda and sword and started abusing the informant's father and also brutally assaulted him due to which informant's father sustained injury and thereafter, admitted to P.H.C., Singhwara and then referred to P.M.C.H., Patna where the Doctor declared him dead.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that it is true that the name of the petitioner has been figured in this case, but there is nothing specific alleged against him, rather, a general and omnibus allegation is there. Counsel further submits that at the instance of the informant, CCTV footage was provided in which the petitioner was not present. Counsel submits that the criminal antecedent of the petitioner is clean.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. Upon perusal of the case diary particularly paragraph no.78, it transpires that the informant of this case has provided the CCTV footage and identified only six persons in commission of the crime, whereas, he has deposed 12 named in the FIR. It transpires to this Court that there is sharp contradiction in the same.

7. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (thirty thousand) with two sureties of the



like amount each to the satisfaction of the learned A.C.J.M.-IV,
Darbhanga in connection with Singhwara P.S. Case No. 149 of
2023, subject to the conditions as laid down under Section
438(2) Cr.P.C.

(Dr. Anshuman, J)

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