

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7346 of 2025

Arising Out of PS. Case No.-319 Year-2024 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

Irshad @ Md. Irshad Alam S/o- Md. Irfan Alam @ Mohammad Irfan Alam
Village- Purani Bazar Bakhtiyarpur Ps- Simri Bakhtiyarpur Dist- Saharsa
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha, Adv.
For the Opposite Party/s : Mrs.Rita Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 16-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Simri Bakhtiyarpur P.S. Case No. 319 of 2024, registered for the offences under Section 140(3) of the Indian Penal Code and subsequently added offences under Section 103(1), 238, 61(2) of the B.N.S.

3. As per the prosecution case, the son of the informant went for his work and did not return. Subsequently, the name of the petitioner transpired as the person who murdered the son of the informant and buried the dead body.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. The name of the petitioner transpired in this



case merely on suspicion. There is no eye witness to the occurrence. Only on the basis of circumstantial evidence, the petitioner has been arraigned in this case as accused. The petitioner has got no criminal antecedent and he is in custody since 30.07.2024 and charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that the son of the informant went to the shop of the petitioner where he was last seen and thereafter at the instance of the petitioner, dead body was recovered in a decomposed condition.

6. Having regard to the serious nature of allegation and strong circumstantial evidence, I am not inclined to enlarge the petitioner on bail.

7. Accordingly, the present application for bail of the petitioner is rejected.

8. Learned trial court is directed to expedite the trial and conclude the trial at the earliest.

(Arun Kumar Jha, J)

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