

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11606 of 2025

Arising Out of PS. Case No.-2 Year-2022 Thana- BARHARIA District- Siwan

Wasim @ Wasim Akram Son of Mehadi Hassain @ Mehendi Hasan Resident
of Village - Gausihata, P.S. - Barharia, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Jagdhar Prasad

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 19-04-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial No. 309/2024 arising out of Barharia P.S. Case No. 02/2022 dated 02.01.2022 registered for the offence punishable u/s 147, 148, 149, 341, 323, 325, 307, 302 and 120B of the Indian Penal Code.

3. As per the prosecution case, on 01.01,2022 at about 4 pm he received an information that his brother Samsher Ali, who used to work in Poultry farm of one Sheikh Alimullah, was assaulted by FIR named accused persons and some unknown persons. It is further alleged that when the informant reached the



place of occurrence, the brother of the informant was already taken by the police for better treatment to PMCH, Patna. However, in the way the brother of the informant succumbed to the injuries. It is also alleged that prior to the said incident some dispute took place between the deceased and the petitioner and the co-accused, Sabbir and on account of the said dispute all the accused persons under conspiracy committed the murder of his brother.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case on mere suspicion. Nothing has been recovered from the conscious possession of the petitioner. The other co-accused person has already been granted bail by this court *vide* order dated 29.08.2022 passed in Cr. Misc. No. 26582/2022. There is no specific allegation of assault against the petitioner and the entire allegations are vague. The petitioner has two antecedents as stated in para 3 of the bail petition. As per the Supplementary Affidavit, the petitioner is in custody since 25.06.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-



named, is directed to 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 learned Court concerned, Siwan in connection with Sessions Trial No. 309/2024 arising out of Barharia P.S. Case No. 02/2022.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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