

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13495 of 2025

Arising Out of PS. Case No.-18 Year-2024 Thana- PATEPUR District- Vaishali

Md. Nausad @ Nausad Miya Son of Taslim Miya @ Md. Taslim village-
Pokhara, Ward no. 13, PS- Patepur, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-02-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. As per prosecution case, informant suspects that all the F.I.R. named accused persons including this petitioner committed murder of the son of informant. Son of the informant and daughter of co-accused Shaukat Ali, namely, Musharrrt Khatoon were having love affair for which Patepur P. S. Case No. 01 of 2024 was also registered.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has been made accused only on suspicion as he is family member of Musharrrt Khatoon. There is no eye witness of the alleged occurrence. He further submits that petitioner is simply victim



of over implication and present case has been lodged in retaliation to Patepur P. S. Case No. 01 of 2024 which was lodged by co-accused Saukat Ali against informant and others. It is further submitted that similarly situated co-accused, namely, Alauddin Miyan has already been granted anticipatory bail by this Hon'ble Court *vide* order dated 12.08.2024 passed in Cr. Misc. No. 37200 of 2024. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Vaishali at Hajipur in connection with Patepur P. S. Case No. 18 of 2024, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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