

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15435 of 2025

Arising Out of PS. Case No.-245 Year-2024 Thana- RUNISAIDPUR District- Sitamarhi

Md. Nazir @ Nazir Nadaf @ Mohammad Najir Nadaf Son of Md. Etbari @
Md. Etvari Nadaf village- Ward no. 2, near School, jahangirpur, ps-
Runnisaidpur, dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjani Kumar, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 14-05-2025 Heard Learned Counsel for the petitioner and Learned
A.P.P for the State.

2. The petitioner is apprehending arrest in connection with Runnisaidpur P.S. Case No. 245 of 2024 lodged on 15.07.2024, for the offence punishable under Section 103 & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against six named accused persons including the present petitioner. It has been alleged in the FIR that informant's younger son went to the petitioner's house and when informant went there also, then she saw that accused persons are cutting neck of her younger son by *hasiya*. Upon seeing the informant, accused persons fled away. Subsequently, informant took her younger



son to the hospital, but in the meantime, he died.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that petitioner is the uncle of the deceased and there is no act or overt act and petitioner has falsely been implicated in this case. Counsel submits that pure concocted story has been alleged in the FIR and allegations are general and omnibus in nature. Counsel further submits that petitioner has no criminal antecedent and he is ready to fulfill all the conditions whatsoever shall be imposed upon him.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that from the rejection order, it transpires that the deceased was murdered by Hansua due to cutting of his neck by the accused person. From para-2 of the case diary, there is seizure list of Hansua and blood stains collected by the FSL team who reached at the place of occurrence. There is a copy of inquest report of the dead body of the deceased and witnesses have also supported the prosecution case. Counsel submits that there is a copy of the confessional statement is also there. Counsel submits that from the perusal of post-mortem report, it transpires that the cause of death is haemorrhage and shock leading to C/R failure as a result of



injury on neck caused by sharp cutting weapon. Counsel further submits that case diary has been called for from which it transpires that whatever be observed by the Sessions Court is absolutely present in the case diary.

6. As such, in the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby rejected.

(Dr. Anshuman, J)

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