

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19671 of 2025

Arising Out of PS. Case No.-805 Year-2024 Thana- MADHEPURA District- Madhepura

Md. Ajij @ Md. Aziz @ Bhulla Son Of Late Khaleel Marhum R/O Vill-
Maheshua, Ward No-14, PS-Madhepura (Bharrahi), Dist-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Zeyaul Hoda, Advocate Mr. Thakur Brajesh Singh, Advocate
For the Opposite Party/s	:	Ms. Sangeeta Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 08-07-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Madhepura (Bharrahi) P.S. Case No. 805 of 2024 instituted for
the offence under Sections 103(1) & 3(5) of the Bharatiya
Nyaya Sanhita, 2023.

3. The informant reported that his son was killed by
unknown persons on 14.07.2024 while going for a natural call.
Two locals discovered the body and informed the deceased's
mother. A mobile SIM was found at the scene, and the police
were informed; the informant was in Punjab at the time.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 20-11-2024. Petitioner



bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not named in the FIR. Name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused, namely, Md. Irshad. It is submitted that petitioner is an old and ailing person aged about 77 years. There is no specific allegation against the petitioner. It is submitted that deceased was having illicit relation with one Khushboo Kumari, so he might have been killed on the instigation of her family members.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that the petitioner has been named in the confession of co-accused Mohd. Irshad Alam, who stated that they were paid by co-accused Shivnandan Mandal to murder Ankit Kumar over an illicit relationship. The deceased's throat was slit, and the cause of death was confirmed as hemorrhage and shock in the post-mortem report. It is fervently submitted that petitioner was involved in the criminal conspiracy.

7. Considering the aforesaid facts and circumstances



of the case, period of custody of the petitioner, there being no specific allegation against the petitioner of assault, old age of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Madhepura (Bharrahi) P.S. Case No. 805 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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