

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19829 of 2025

Arising Out of PS. Case No.-549 Year-2023 Thana- BIRAUL District- Darbhanga

Soni Alam @ Md. Murshid Ali @ Md. Murshid S/O Mansur Alam R/O Vill.-
Usri, P.S.- Biraul, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Baidyanath Prasad, Advocate
For the State	:	Mrs. Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 20-06-2025 Heard Mr. Baidyanath Prasad, the learned counsel
appearing on behalf of the petitioner and Mrs. Pushpa Sinha, the
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 302 and 34
of the Indian Penal Code.

3. As per the prosecution case, the informant has
alleged that her son used to work under Amarjeet Mandal and he
did not give a single penny for the last three years he had
worked. Subsequently, it is alleged that her son was called by
Soni Alam @ Md. Mursid Ali (petitioner) on the previous night,
however, he returned home. It is next submitted that at around
10:00 P:M, his son received a phone call, then he went outside
and thereafter he did not return and in the morning she got a
news that her son was found hanging with a turban.



4. The learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and barring suspicion there is nothing against the petitioner. It has further been submitted that there is no specific allegation against the petitioner and from the postmortem report, it would be clear that there was no external injury found on the body of the deceased and the doctor had opined the cause of death to be asphyxia as a result of hanging. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that the petitioner is named in the FIR and he was last seen with the deceased, son of the informant.

6. Considering the aforesaid submissions made by the parties and taking into account that the name of the petitioner is based on suspicion, the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail-bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with



Biraul P.S. Case No. 549 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

Siwani/-

U		T	
---	--	---	--

