

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28901 of 2025

Arising Out of PS. Case No.-994 Year-2024 Thana- PHULWARISHARIF District- Patna

Ahamad Hussain @ Md. Ahamad S/O Late Md. Afroz R/O Naharpar, Lal
Miya Ki Dargah, P.S- Phulwarisharif, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhimanyu Deo, Adv.

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

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

ORAL ORDER

4 01-09-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Phulwari Sharif P.S. Case No. 994 of 2024 instituted for the
offences under Sections 103(1) & 3(5) of the Bhartiya Nyaya
Sanhita, 2023.

3. As per prosecution case, the informant's son left
home for roaming purpose but, did not return. Later on, his
dead body was found.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence as
alleged against him and has falsely been implicated in the



present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner is not named in the F.I.R. and his name has transpired in this case on the basis of last seen and CCTV footage which was also not of the place of occurrence. The petitioner has been implicated in this case on his own statement recorded before the police which has no evidentiary value in the eye of law. The petitioner has no criminal antecedent and is languishing in judicial custody since 22.07.2024 without any rhyme or reason. Charge-sheet has been submitted against the petitioner.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the



petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Phulwari Sharif P.S. Case No. 994 of 2024.

(Rudra Prakash Mishra, J)

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