

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29135 of 2025

Arising Out of PS. Case No.-177 Year-2024 Thana- HARSIDHI District- East Champaran

Sayed Shamim @ Motka @ Shamim Alam S/o Syed Naulakha @ Syed Naushad R/o Jhadwa, P.S.- Harsidhi, Distt.- East Champaran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Mohd Rustam Hussain, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 01-08-2025 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Harsidhi P.S. Case No. 177 of 2024 instituted for the offences under Sections 302, 34 of the Indian Penal Code.

3. Prosecution case, in short, is that co-accused persons threatened the informant to kill the husband of the informant and, subsequently, when her husband went to the graveyard for prayer, accused persons committed the murder of



the informant's husband.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case on account of previous enmity. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of confessional statement of the co-accused Abhinandan Kumar who has already been granted bail by this Court vide order dated 25.09.2024 passed in Cr. Misc. No. 44970 of 2024. There is no eye-witness to the occurrence and no specific material has cropped up during the investigation. It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.02.2025 and has no criminal antecedent. Other co-accused has been granted bail by this Court vide order dated 11-07-2025, passed in Cr. Misc. No. 32048 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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 Harsidhi P.S. Case
No. 177 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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