

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34736 of 2025

Arising Out of PS. Case No.-773 Year-2024 Thana- SIWAN CITY District- Siwan

Ali Haidar @ Haidar Ali S/o Late Md. Muslim R/o Mohalla- Makdoom Saray
Toli, P.S.- Sarai, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prabhakar Singh, Adv
	:	Ms. Ritika Kumari, Adv
	:	Mr. Sumit Kumar, Adv
For the Opposite Party/s :	:	Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 23-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Siwan

Town (Sarai) P.S. Case No. 773 of 2024 registered for the

offences under Sections 103 and 3(5) of the Bharatiya Nyaya

Sanhita.

3. The petitioner is named in the F.I.R. and is in

custody since 16.12.2024.

4. As per FIR, the husband of informant alongwith

one of his associate was killed by villagers. It is alleged that

deceased was called by one Anwar Ali and others from the

house of the informant.



5. Learned counsel appearing on behalf of the petitioner submitted that the informant is not the eye-witness of the actual occurrence and he was implicated for the simple reason, being neighbour of co-accused Anwar Ali, who called deceased from his home. It is submitted that in fact deceased persons were history sheeter and were inter-district criminals involved in several cases and on the date of occurrence deceased persons went to nearby locality to collect extortion money, where local persons collectively assaulted them by using hard and blunt substance causing their death. It is submitted that manner of assault appears prima-facie corroborating with post-mortem report. While concluding the argument it is submitted that petitioner is a man of clean antecedent, and moreover, investigation has already completed, and as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid factual submission and by taking note of fact as admittedly informant is not the eye-



witness of occurrence, where implication prima-facie out of suspicion being neighbor of co-accused Anwar Ali, who called deceased from his home, coupled with the fact as petitioner remains in custody since 16.12.2024, accordingly above named petitioner, is directed to be released on bail in connection with Siwan Town (Sarai) P.S. Case No. 773 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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