

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37585 of 2025

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

Md. Nazim S/o- Late Azhar Hussain Village-Jhadwa, P.S- Harsidhi, District-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Ranjan, Adv.

For the Opposite Party/s : Ms.Madhuri Lata, APP

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

ORAL ORDER

3 09-07-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary called for in Cr. Misc.
No.30302 of 2025.

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

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

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 19.02.2025. 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. The name of the petitioner has transpired only on the basis of confessional statement of the co-accused Abhinandan Kumar. It is submitted that there is no complaint regarding previous enmity of the petitioner with the husband of the informant. Learned counsel next submits that there is no eye witness to the occurrence and no cogent material has come forward during the course of investigation against the petitioner. It is lastly submitted that charge sheet has been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to paragraph Nos. 8 & 9 of the case diary, it is submitted that witnesses have supported the prosecution case. He further submits that the co-accused Abhinandan Kumar in his confessional statement has confessed his guilt and has also taken the name of co-accused persons including the petitioner of being involved in the alleged offence.



7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no cogent material against the petitioner in the case diary, the petitioner having no criminal antecedent, charge sheet being submitted as also the prayer for bail being based on parity, 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 Harsidhi P.S. Case No. 177 of 2024.

(Rudra Prakash Mishra, J)

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