

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32891 of 2025

Arising Out of PS. Case No.-324 Year-2024 Thana- BIRPUR District- Supaul

Md. Nabib S/o Phool Mohammad @ Ful Mohammad Resident of Village -
Mohanpur, Ward No. 01, Police Station - Birpur, Distt- Supaul

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Adv.

For the Opposite Party/s : Mr. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 12-09-2025 Heard the parties.

2. The petitioner seeks bail in connection with Birpur P.S. Case No. 324 of 2024 registered for the offence under Sections 140(3), 140(1), 3/5 of the B.N.S.

3. The petitioner is not named in the F.I.R. and is in custody since 21.09.2024.

4. The allegation as per FIR is that husband of the informant was taken from home by named co-accused persons Sanjay Kumar, Atabul and some unknown persons and after that he was found missing.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner has falsely implicated with



present case as except confessional statement of the named co-accused namely Md. Atabul nothing appears incriminating against this petitioner. It is submitted that the dead body of the deceased husband of the informant was recovered on the instance of Sanjay Kumar, which was in such decomposed condition that could not even identified by the informant. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP, opposed the prayer of bail.

7. In view of aforesaid facts and submission as mentioned above, save and except suspicion arising out of the confessional statement of the co-accused nothing transpires *prima-facie* during investigation as to connect petitioner with present crime in question, coupled with fact that investigation of this case is already completed, where petitioner remains in custody since 21.09.2024, accordingly petitioner above named, is directed to be released on bail in connection with Birpur P.S. Case No. 324 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 District and Additional



Sessions Judge-IV, Supaul, subject to the conditions as
mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

Siddharth Soni/-

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