

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33664 of 2025

Arising Out of PS. Case No.-362 Year-2024 Thana- BAISI District- Purnia

Ajad Ali son of Jahan Ali Resident of village -Tarabari, ward no.05, Police Station -Baisi, District -Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

Mr. Pratik Kumar, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 04-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Baisi P.S. Case No. 362 of 2024 registered for the alleged offences under Sections 103(1), 238, 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the daughter of the informant left her house on 16.11.2024 and on 22.11.2024, her dead body was recovered. The name of the petitioner transpired after investigation who was involved in the murder of the daughter of the informant.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The petitioner has no role in the said occurrence. Though the daughter of the informant had been traceless since 16.11.2024, the FIR was lodged only after a dead body was recovered. It is not even certain that the dead body is that of the daughter of the informant. The petitioner was apprehended on the basis of secret information and his confession was recorded. But except for the confessional statement of the petitioner, there is no material on record to show the involvement of the petitioner. The petitioner was made accused in this case on the basis of a SIM number which was used in conversation with the deceased but the said SIM number was issued on the Aadhar Card of one Ramjun Khatoon. The police has not made any effort to show that the SIM belongs to this petitioner and he has used the number to talk to his relatives or friends. Therefore, it is not possible to say that it was the petitioner who was using the said SIM. The dead body was completely decomposed and only on the basis of bangles of the deceased, informant claimed to identify the dead body of her daughter. Further, not a single witness has come before police during investigation to say that the petitioner was seen with the deceased at any point of time. Learned counsel further submits that charges have been framed in this case and the petitioner is in custody since 11.01.2025.



The petitioner is having clean antecedent.

05. Learned APP for the State opposes the submission made on behalf of the petitioner. Learned APP submits that during investigation, police came to know about the deceased regularly talking with a certain mobile number which was subsequently found to be issued in the name of Ramjun Khatoon, who gave a statement that she allowed the petitioner to use her Aadhar Card for getting that SIM.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering remoteness of allegation and absence of cogent material and further considering the framing of charge against the petitioner and his clean antecedent and also considering the period of custody of the petitioner, he is directed to 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 learned Sub Divisional Judicial Magistrate, Purnea in connection with Baisi P.S. Case No. 362 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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