

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40053 of 2025

Arising Out of PS. Case No.-191 Year-2024 Thana- JAMOBABAZAR District- Siwan

Ahmad Hussain @ Bhakolwa S/o Mohd Yaqub Mansoori @ Md. Yaqub R/o
Village- Bahuwara, P.S.- Barharia, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Verma, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

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

ORAL ORDER

4 08-09-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Jamo
Bazar P.S. Case No. 191 of 2024 instituted for the offence under
Sections 302, 326 & 34 of the Indian Penal Code.

3. As per prosecution case, it is alleged that on
12.06.2024 evening, her son Sahnawaj Alam returned home and
went to sleep after 7 P.M. Around 3 A.M., his grandmother
Jarina Khatoon found him unconscious with foam in his mouth.
He was rushed to Barharia Hospital, where doctors declared him
dead.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 23-09-2024. Petitioner



bears three criminal antecedents, 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. Name of the petitioner has transpired on the basis of re-statement made by the informant. Later, confessional statement of the petitioner was recorded by the police, wherein, petitioner allegedly confessed his guilt. Save and except confessional statement of the petitioner, which has no evidentiary value in the eye of law, there is no material against the petitioner to establish his role in the offence. Moreover, other co-accused has been granted bail by this Court vide order dated 11-04-2025, passed in Cr. Misc. No. 2932 of 2025.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. As per postmortem report, cause of death is not ascertained as vicera report is pending. Charge sheet has already been submitted in this case.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, claim based on parity and charge sheet being submitted, this Court is inclined to



grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jamo Bazar P.S. Case No. 191 of 2024 , subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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