

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38553 of 2025

Arising Out of PS. Case No.-805 Year-2024 Thana- MADHEPURA District- Madhepura

Md. Irsad @ Md. Irshad S/o Meharuddin R/o Village-Mahesua, Ward No. 14,
P.S.-Madhepura, District-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amarnath Jha, Advocate
For the State	:	Mr. Choubey Jawahar, APP
For the Informant	:	Mr. Sumit Kumar Yadav, Advocate

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

ORAL ORDER

3 29-08-2025 Heard Mr. Amarnath Jha, learned counsel for the petitioner and Mr. Choubey Jawahar, learned APP for the State as also Mr. Sumit Kumar Yadav, learned counsel for the Informant.

2. The petitioner seeks bail in connection with Madhepura (Bharrahi O.P) P.S. Case No. 805 of 2024, instituted for the offences punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that son of the informant was killed by unknown persons on 14.07.2024 while going for a natural call. Two locals discovered the body and informed the deceased's mother. A mobile SIM was found at the scene, and the police were informed; the informant was in



Punjab at that time.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of his confessional statement and the same has got no evidentiary value. It is next submitted that the deceased had relation with several girls and someone might have killed him. The petitioner is in custody since 20.11.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is contended that weapon used in the commission of the offence was given by the petitioner. Moreover, he has actively participated in the offence, which is evident from the perusal of confessional statement of co-accused. Bail of other co-accused has been rejected by this Court vide order dated 31-07-2025, passed in Cr. Misc. No. 19183 of 2025.

6. Considering the aforesaid facts and circumstances



of the case, nature of accusation and the gravity of the offence,
this Court is not inclined to grant bail to the petitioner.

7. The prayer is *rejected*. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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