

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38701 of 2025

Arising Out of PS. Case No.-148 Year-2022 Thana- DARPA District- East Champaran

Nejamuddin Alam@ Najamoddin Alam Son of Sahabjaan Miyan @ Sabjan
Miya Resident of Village- Pipra, P.S.- Darpa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 18-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Darpa P.S. Case No. 148 of 2022 registered for the alleged offences under Sections 302/201/34 of the Indian Penal Code.

3. As per prosecution case, son of the informant went missing and later on his mobile phone was recovered. After 4-5 days, the petitioner and co-accused approached the wife of the informant and demanded the mobile phone saying that they had given the mobile phone to the son of the informant. Thereafter, the dead body of the son of the informant was recovered from canal of the village and the informant showed his suspicion that



petitioner and co-accused killed his son.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Except for suspicion, there is no direct evidence against the petitioner. There is no eye witness to the alleged occurrence and no one has seen the petitioner with the deceased. The petitioner has got clean antecedent. The petitioner is in custody since 06.03.2025. It is further submitted that similarly co-accused have already granted bail by the Co-ordinate Bench of this Court vide order dated 16.05.2025 passed in Cr. Misc. No. 17938 of 2025.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the distinct lack of substantive material against the petitioner and further considering the period of custody of the petitioner and his clean antecedent along with similarly co-accused have already granted bail by the Co-ordinate Bench of this Court vide order dated 16.05.2025 passed in Cr. Misc. No. 17938 of 2025. Let the petitioner above named 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
Judicial Magistrate- 1st Class, Raxaul at Motihari/court
concerned in connection with Darpa P.S. Case No. 148 of 2022.

(Ramesh Chand Malviya, J)

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