

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39881 of 2025

Arising Out of PS. Case No.-641 Year-2024 Thana- SIKARPUR District- West Champaran

Ashraf Sheikh S/o Sheikh Jahangir R/o Village- Pipra Dewalia, P.S-shikarpur,
Dist-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manaur Alam, Adv.
For the Opposite Party/s	:	Mr. Anil Kumar, APP
For the Informant	:	Mr. Zainul Abedin, Adv.
		Mr. Sanobar Shahnaz, Adv.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

3 19-08-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Shikarpur P.S. Case No. 641 of 2024 instituted for the offences under Section 137(2) of the Bhartiya Nyaya Sanhita, 2023 and later on Sections 103, 238, 61(2) and 3(5) of the B.N.S. were added.

3. Prosecution case, in short, is that, on 11.09.2024 at about 12 PM, the daughter of the informant had gone to grocery shop to buy something but, she did not return.

4. Learned counsel for the petitioner submitted that the petitioner is an innocent lady and has falsely been implicated in



the present case. Petitioner is not named in the F.I.R. and his name has transpired in this case in course of investigation on the basis of the suspicion. The police arrested the petitioner and took his confessional statement which has no evidentiary value in the eye of law. The petitioner has not been seen anywhere in the CCTV footage. He further submitted that the dead body of the deceased was recovered from the fields of one Sheikh Armaan. Learned counsel further submitted that there is nothing on record to prove the involvement of the petitioner in the commission of murder of the deceased. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.09.2024 and has no criminal antecedent. Charge-sheet has been submitted in this case.

5. Learned counsel for the petitioners again submits that the co-accused namely Kiran Devi has been granted bail by this Court vide order dated 28.04.2025 passed in Cr. Misc. No. 4702 of 2025.

6. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The petitioner has confessed his guilt and, hence, he does not deserve bail.



7. Having heard learned counsel for the parties and considering the nature and gravity of the offence as also taking into account the material available in the case diary, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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