

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40429 of 2025

Arising Out of PS. Case No.-548 Year-2024 Thana- MASAUDHI District- Patna

Sikandar Paswan S/o Ramchandra Paswan R/o vill - Hussainchak, P.O. -
Charma, P.S. - Masaurhi, Distt.- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Pawan Kumar, Advocate Mr.Dhaneshwar Vashist, Advocate Mr.Akhya Anand, Advocate
For the Opposite Party/s :	Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 19-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection with

Masaurhi P.S. Case No. 548 of 2024 registered for the offences

under Sections 302/201 of the Indian Penal Code.

3. The accused/petitioner is not named in the First

Information Report and is in custody since 19.12.2024.

4. As per FIR, the informant has alleged that his uncle

had gone to the market but did not return and upon search, his

dead body was found from roadside where blood found oozing

from his neck.

5. It is submitted by learned counsel appearing on

behalf of the petitioner that informant is not the eye witness of



the occurrence. It is submitted that even during course of investigation initially the independent witnesses and wife of deceased not even raised suspicion against this petitioner, but, subsequently, after passing sometime, a petition was made to the I.O. of this case stating that one Nirmal Paswan and Bablu Kumar threatened to the uncle of the informant in connection with return of loan amount of Rs. 2000/-. Consequent upon, petitioner along with co-accused Nirmal and Bablu Kumar were apprehended with the present case.

6. It is submitted that save and except suspicion arising out of aforesaid petition, nothing survives against the petitioner, and therefore, considering all such aspects, co-accused Bablu Kumar @ Madan Mohan Prakash has been granted bail by one of the learned coordinate Bench of this Court through Cr. Misc. No. 17123 of 2025 dated 08.07.2025.

7. While concluding argument, it is submitted that petitioner is a man of clean antecedent, and moreover, investigation of this case is already completed, charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

8. Learned A.P.P. for the State has opposed the prayer



for bail of the petitioner.

9. In view of aforesaid factual submission as mentioned above and by taking note of the fact as save and except suspicion nothing survives against this petitioner as to connect him *prima facie* with the present occurrence of murder, coupled with the fact that petitioner remains in custody since 19.12.2024, where investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Masaurhi, District – Patna, in connection with Masaurhi P.S. Case No. 548 of 2024, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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