

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41770 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- Dagmara District- Supaul

Md. Ibrahim S/o Shifayat Miyan @ Md. Sifayat, R/o - Kamalpur, Ward No-6,
P.S.-Daghmara, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sharda Nand Mishra, Advocate Ms. Isha Mishra, Advocate
For the State	:	Mr.Ahmad Ali, APP
For the Informant	:	Mr. Manish Kumar, Advocate Mr. Ziaul Quamer, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel appearing on behalf
of the informant.

2. In the present case, the petitioner seeks bail in
connection with Dagmara P.S. Case No. 12 of 2025 registered
for the alleged offences under Sections 103(2), 80(2), 3(5) of
B.N.S., 2023.

3. As per prosecution case, the daughter of the
informant was married with co-accused Md. Kalam. After
sometime, demand of motorcycle and Rs.Two lakhs was made
and the daughter of the informant was variously tortured.
Finally, the daughter of the informant was killed in her



matrimonial home by the petitioner and other co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner is the grandfather of co-accused Md. Kalam and there is no specific allegation against the petitioner. The deceased and her husband used to live separate from the petitioner and the petitioner was not having any concern with their affair. Prior to her death, no complaint has been made against the petitioner who is aged 72 years and he is suffering from various ailment. There is no direct or indirect material against the petitioner for commission of offence as alleged. Learned counsel further submits that the postmortem report does not show that the death occurred due to assault or killing by the FIR named accused persons. Rather the opinion has been reserved for FSL report and this shows the daughter of the informant might have committed suicide. Learned counsel further submits that the petitioner is having clean antecedent and he is in custody since 11.03.2025 and charge sheet has been submitted.

5. Learned APP as well as learned counsel appearing on behalf of the informant vehemently oppose the submission



made on behalf of the petitioner. Learned counsel appearing on behalf of the informant submits that when the dead body was recovered, there were signs of assault and a number of injuries were found as is apparent from the FIR.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner is stated to be the grandfather of co-accused husband of the deceased and further considering the general and vague nature of allegation against the petitioner and also considering his age, clean antecedent, period of custody and submission of charge sheet, 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, Ist Class, Birpur, District - Supaul/concerned Court in connection with Dagmara P.S. Case No. 12 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the



court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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