

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42306 of 2025

Arising Out of PS. Case No.-118 Year-2024 Thana- SIKTI District- Araria

1. Shamim Akhtar @ Md. Samim, S/O Salimuddin @ Datu, R/O Village-Thiraniganj Bhorha, P.S- Terhagachh, Distt.- Kishanganj.
2. Aaliya Begum W/O Shamim Akhtar @ Md. Samim, R/O Village-Thiraniganj Bhorha, P.S- Terhagachh, Distt.- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Adv.
For the Opposite Party/s : Mr. Braj Kishore Pd. APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 17-10-2025 Heard learned Advocate for the petitioners and
learned Advocate for the State.

2. The petitioners apprehend their arrest in connection with Sikty P.S. Case No.118 of 2024 registered for the offences punishable under Sections 103 and 61(2) of the BNS.

3. Based upon the *fardbeyan* of the informant, it is alleged that on 31.07.2024, the daughter of the informant, namely, Raushni left her house saying that she is going to her maternal grand-father's house, upon which his younger sister proceed with her to catch the vehicle but she returned by stating that co-accused Abu Salem is coming to bring her from Morang Nepal. In the next morning, the informant was informed that a



dead body of the deceased was found nearby a road. On getting such information, the informant and others reached there and found the dead body of his daughter. It is further alleged that co-accused Abu Salem had talking terms with his daughter for the last three years. Suspicion has been raised that co-accused Abu Salem with the help of other unknown persons committed the murder of his daughter.

4. Learned Advocate for the petitioners contended that admittedly the petitioners are not named in the FIR. However, during the course of investigation, only on account of the petitioners being sister and brother-in-law of co-accused Abu Salem, their names have been implicated in this case. Save and Except the petitioners being close relatives of co-accused Abu Salam, no material has collected suggesting complicity of the petitioners in the crime, there is no eyewitness to the alleged occurrence and the entire case is based on suspicion. Even during the course of investigation, only the mobile tower location of co-accused Abu Salem has been found nearby the place of occurrence. All the more, the petitioners bear fair antecedent and they undertake that they will fully cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State



vehemently opposed the bail application and submitted that the names of the petitioners have transpired during the course of investigation.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the fact that the petitioners are not named in the FIR and the entire case is based on suspicion, however no cogent material has come against the petitioner during the course of investigation, besides their fair antecedent, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Araria in connection with Sikty P.S. Case No.118 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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