

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46019 of 2025

Arising Out of PS. Case No.-143 Year-2024 Thana- JADIA District- Supaul

Md. Alam @ Shamshad Alam @ Md. Shamshad Alam S/o Md. Yunus @ Md. Yunus Rahmani R/o Village- Phulkaha, Ward No 17, PS- Jadiya, Distt- Supaul
... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rana Hason, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

4 03-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Jadiya P.S. Case No. 143 of 2024 registered for the offences punishable under Sections 103(1), 351(3), 3(5) of the B.N.S. and Section 27 of the Arms Act.

3. As per prosecution case, co-accused Chetan Kumar, Pappu Kumar, Om Kumar, Ashish Kumar, Pradeep Yadav alongwith four unknown persons concertedly committed the murder of informant's son by firing upon him.

4. Learned counsel for the petitioner submits that petitioner is not named in FIR. He further submits that name of the petitioner has been transpired in this case after near about four months from the date of occurrence, upon the confessional statement of co-accused Md. Riyaz. Except disclosure of said



co-accused, there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. Petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. He further submits that petitioner bears criminal antecedent of one case in which he is on bail.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner by submitting that though, petitioner is not named in FIR but during the course of investigation, name of petitioner has been transpired in this case upon the confessional statement of co-accused Md. Riyaz and involvement of petitioner cannot be ruled out. Hence, petitioner does not deserve anticipatory bail.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Jadia P.S. Case No. 143



of 2024, subject to the conditions as laid down under Section
482 (2)of BNSS.

7. The application stands allowed.

(Alok Kumar Pandey, J)

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