

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59567 of 2025

Arising Out of PS. Case No.-318 Year-2023 Thana- NADI P.S. District- Patna

Md. Fardin S/o Md. Sahabuddin @ Lambu R/o Choti Haveli, Behind DSP,
Saguna More, PS- Danapur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Mohammad Minnatullah, Advocate
For the State : Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 13-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on 29.08.2023 at 10:00 p.m. she was sleeping in her house when the doorbell rang on account of which she woke up and opened the door and saw her son Sahjada @ Chotu drenched in blood who disclosed that he has been shot by Bambam. Accordingly, an alarm was raised when neighbours gathered and admitted her son at PMCH on 30.08.2023 where he died during the course of treatment on 01.09.2023, thus



alleges that her son was killed by Fardin @ Bambam @ Naushad since her son had intervened to pacify the fight in which Fardin was involved, thus alleges that legal action be taken against Bambam @ Naushad, Najma Khatoon, Md. Fardin and Anwar.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that informant is not an eye witness to the occurrence. It is further submitted that from perusal of the allegations, as alleged in the FIR, it would manifest that informant alleges that when the doorbell rang she opened the door and saw her son drenched in blood who disclosed that he was shot by Bambam. It is next submitted that in the later part of the FIR, it is alleged that her son was shot by Fardin @ Bambam when Fardin does not carry any alias name. It is also submitted that it is Naushad who carried the alias name of Bambam and the deceased had disclosed to the informant that it was Bambam who shot him. It is also submitted that even informant in the FIR at one place has recorded that it was Fardin @ Bambam @ Naushad who shot her son. It is thus submitted that the FIR does not allege with clarity that whether it was Fardin or Naushad who shot the son



of the informant. It is asserted and submitted that from the FIR itself, it would manifest that Naushad carried alias name of Bambam and not Fardin, i.e., the petitioner.

5. The learned APP opposes the anticipatory bail application and submits that case is of murder and the informant specifically in the FIR disclosed that her son informed that it was Bambam who shot him and in the later part of the FIR after the death of the deceased when the FIR was instituted, the informant clearly disclosed that it was Fardin @ Bambam @ Naushad who committed the occurrence. It is thus submitted that since son of the informant was shot and he died subsequently, as such, the informant may not be in a position to clearly disclose the name who shot her son but then the informant in the FIR has disclosed at one place that it was Fardin who shot her son. It is also submitted that whether it was Fardin or Naushad or anyone else who committed the occurrence that is an aspect of investigation and if the petitioner is innocent, he will be exonerated by the police.

6. Taking into consideration the submissions made by the learned APP, this Court is not inclined to extend the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail to the petitioner is hereby



rejected in connection with Nadi P.S. Case No.318 of 2023,
pending in the court of learned Judicial Magistrate, 1st Class,
Patna City.

(Satyavrat Verma, J)

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