

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.52385 of 2025

Arising Out of PS. Case No.-124 Year-2024 Thana- KISHANGANJ District- Kishanganj

Masud Alam @ Md Masood Alam @ Md Masud Alam Md Zakir Hussain @
Jakir Hussain R/o Vill- Ruidhasa Bhatia Basti, Ward no. 23, Thana-
Kishanganj, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mrs. Rita Verma, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

4 12-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 302, 201, 120(B)/34 of the
Indian Penal Code.

3. The allegations in the first information report is
that the dead body of a person was found thrown near the river
and on suspicion the present petitioner along with one Md. Mister
was made an accused in this case for killing the husband of the
informant and throwing his dead body.

4. The learned counsel for the petitioner submits that
it would be apparent from the first information report that the
same is based upon mere suspicion and there is no eye-witness to
the occurrence. It is further submitted that as a matter of fact, the
deceased was drunk and he had fallen in the river and the
petitioner and other accused have been falsely implicated only on
the ground that he was seen with the deceased five to six days



back. It is thus submitted that it would not even be a case of last seen as the same is not in close proximity to the date of death. The petitioner is in custody since 25.02.2025 and the charges have already been framed in this case on 03.07.2025. Similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 30.04.2025 passed in Cr. Misc. No. 87898 of 2024 (Annexure-3).

5. Learned APP for the State opposed the grant of bail on the basis of allegations made in the first information report.

6. Taking into consideration the facts and circumstances and considering the fact that the case rests on suspicion and a vague allegation of last seen, coupled with the fact that similarly situated co-accused person has already been granted bail by a Co-ordinate Bench of this Court, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Kishanganj/concerned Court below in connection with Kishanganj P.S. Case No. 124 of 2024.

(Soni Shrivastava, J)

anand/-

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