

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62037 of 2025

Arising Out of PS. Case No.-13 Year-2025 Thana- BALTHAR District- West Champaran

1. Imran Gaddi @ Imran Gadi S/o- Subaidar Gaddi @ Subedar Gaddi Village- Sadakia Tola W.No-11, Ps- Balthar Dist- West Champaran
2. Faiyaj Gaddi @ Faiyaj Gadi S/o- Subaidar Gaddi @ Subedar Gadi@ Subedar Gaddi Village- Sadakia Tola W.No-11, Ps- Balthar Dist- West Champaran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioners seek bail in connection with Balthar P.S. Case No. 13 of 2025 registered for the alleged offences under Sections 103, 238, 61(2), 3(5) of Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

03. As per prosecution case, the daughter of the informant was married with co-accused Mumtaj Gaddi and the petitioners are his brothers. The allegation is that the co-accused son-in-law of the informant wanted to marry some other lady and for this reason, in conspiracy with petitioners, he shot dead the daughter of the informant.

04. Learned counsel for the petitioners submits that



the petitioners are innocent and have been falsely implicated in this case only due to the fact that they are brothers of the co-accused. There is no specific allegation of firing against any of the petitioners. The petitioners live separate from the co-accused and they have no concern with his family affairs. Even in his confessional statement, the co-accused did not assign any role to the petitioner in killing of his wife. Charge-sheet has been submitted and the petitioners are in custody since 26.04.2025. The petitioners were made accused Balthar P.S. Case No. 12 of 2025 on the same date when this FIR was lodged and they have been granted bail by a Co-ordinate Bench of this Court.

05. Learned APP for the State opposes the submission made on behalf of the petitioners. Learned APP submits that the petitioner have been named along with other co-accused for killing the daughter of the informant.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegations against the petitioners and also considering the period of custody of the petitioners along with submission of charge-sheet, the petitioners above named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bettiah, West Champaran/court concerned in connection with Balthar P.S. Case No. 13 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners 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 petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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