

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63897 of 2025

Arising Out of PS. Case No.-805 Year-2024 Thana- MADHEPURA District- Madhepura

Md. Sikandar @ Md. Sikandar Alam @ Ganori S/O Md. Iliyas R/O Amaha,
Ward no. 9, P.S.- Belari, Dist.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Pooja Prasad, Advocate
For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 31-10-2025 Heard learned counsel for the petitioner, learned APP for
the State and perused the case diary.

2. The petitioner seeks bail in connection with
Madhepura P.S. Case No. 805 of 2024, instituted for the
offences punishable under Sections 103(1) and 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that son of the
informant was killed by unknown persons on 14.07.2024 while
going for a natural call. Two locals discovered the body and
informed the deceased's mother. A mobile SIM was found at the
scene, and the police were informed; the informant was in
Punjab at that time.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner is not named in the FIR. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused, namely, Irshad Alam and the same has got no evidentiary value. It is next submitted that the deceased had relation with several girls and someone might have killed him. The petitioner is in custody since 11.01.2025 and has got six criminal antecedent. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by this Court vide order dated 08.07.2025 passed in Cr. Misc. No. 19671 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. Bail of similarly situated co-accused has been rejected by this Court vide order dated 31.07.2025, passed in Cr. Misc. No. 19183 of 2025. Moreover, postmortem report corroborates the allegation. It is lastly submitted that petitioner has actively participated in the offence, which is evident from the perusal of confessional statement of co-accused.



6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is *rejected*. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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