

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73605 of 2025

Arising Out of PS. Case No.-5 Year-2024 Thana- DARPA District- East Champaran

Kausar Alam @ Mithai Lal S/O Md. Nasim R/O Mohalla-Nakchhed Tola,
P.S- Motihari Town, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore @ Kundan Kumar , Advocate
For the Opposite Party/s : Mr. Asha Devi , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-12-2025 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in a case registered for the offence punishable under sections 302, 201, 120B of the Indian Penal Code.

3. As per the prosecution case, informant suspects that all the FIR named accused persons have committed murder of his father.

4. Learned counsel appearing for the petitioner submits that it is a case of circumstantial evidence. Petitioner is not named in the FIR and only material that has come against the petitioner during investigation is that a diary with chit of paper had been recovered from the pocket of the deceased in which name of petitioner along with other persons had been written. Moreover, there is no other direct or indirect evidence



against the petitioner to show his complicity in the occurrence .
Petitioner claims clean antecedent. Similarly situated co-
accused person has already been granted bail by this Hon'ble
Court vide order dated 19.08.2025 in Cr. Misc. No. 27352 of
2025 .

5 . Learned APP for the State opposed the bail.

6. Considering the aforesaid facts of the case, prayer
for bail of the petitioner is allowed. In the event of
arrest/surrender within eight weeks from today, let the
petitioner, mentioned above, be enlarged on bail on furnishing
bail bond of Rs.10,000/- (ten thousand) with two sureties of the
like amount each to the satisfaction of Chief Judicial
Magistrate , Motihari, East Champaran in Darpa Police Station
Case No. 05/2024 , subject to the conditions laid down under
section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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