

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87898 of 2024

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

Md Mister @ Md Argaman @ Md Arman @ Argawan Alam @ A Mister S/o
Late Md. Diwani @ Md Satabuddin R/o vill - Bhatia Basti, Ruidhasa ward
no. 23, P.s- 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 : Mr. Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 30-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kishanganj P.S. Case No. 124 of 2024 registered for the offences under Sections 302, 201, 120(B) and 34 of the Indian Penal Code.

3. As per the FIR, the informant has given a typed application alleging therein that on 07.04.2024 she received information that a dead body was found near the Ramzan River, and on identification it was found that the dead body was of her husband and she alleged that accused Md. Mister (petitioner) was seen together with the deceased around 5-6 days ago, and hence she raised suspicion that the petitioner and his companion



had murdered her husband and had thrown the dead body.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated merely on suspicion raised by the informant. Learned counsel further submits that the petitioner was not seen by any person to have committed such a crime; moreover, the statement of the witnesses during the investigation only refers to the closeness of the deceased with the accused persons. Barring this, there is no evidence to connect the petitioner with the aforesaid case. Lastly, it has been submitted that the petitioner has clean antecedent and has been in custody since 08.05.2024.

5. The learned Additional Public Prosecutor for the State has opposed the prayer for bail and has stated that the petitioner is named in the FIR, and from the statement of the witnesses, it seems that the petitioner was involved in the alleged incident which he has also confessed.

6. Taking note of the submissions made by the respective parties and also the fact that there is no eye witness to the occurrence and it was merely on suspicion the petitioner and one other have been made accused in this case, let the petitioner, above named, be enlarged on bail on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj in connection Kishanganj P.S. Case No. 124 of 2024 subject to the conditions that

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(Sourendra Pandey, J)

Prakash/-

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