

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86070 of 2024

Arising Out of PS. Case No.-246 Year-2024 Thana- SINGHWARA District- Darbhanga

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PRADEEP KUMAR SAH @ PRADEEP KUMAR S/o UMESH SAH R/o vill
- Ashrafur Dani, ward no. 2, P.S. - Keoti, Distt.- Darbhanga, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 474 of 2025

Arising Out of PS. Case No.-246 Year-2024 Thana- SINGHWARA District- Darbhanga

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Md. Shamsher S/O Late Md. Muslim R/O Vill.- Katrahiya, P.S.- Mabbi, Dist.-
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 86070 of 2024)

For the Petitioner/s : Mr.Nishant Kumar Sinha

For the Opposite Party/s : Mr.Ram Sevak Choudhary

(In CRIMINAL MISCELLANEOUS No. 474 of 2025)

For the Petitioner/s : Mr.Sameer Ranjan

For the Opposite Party/s : Mr.Nawal Kishore Prasad

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have preferred this application for
grant of regular bail in connection with Singhwara P.S. Case No.
246 of 2024 dated 04.09.2024 registered for the offences
punishable u/ss 103(1), 238 read with Section 3(5) of the B.N.S.



and Section 27 of the Arms Act.

3. As per the prosecution case, on 04.09.2024, during petrolling, the villagers informed him that by the side of the road at Thikapai, a dead body of a male person was lying and the informant went there and inspected the dead body and informed the S.H.O. and the S.H.O. reached there and inspected the dead body and came to conclusion that unknown culprits had murdered unknown person by shooting on his head. One empty cartridge was also recovered from the place of occurrence.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have been made accused in this case merely on suspicion. The petitioners are not named in the F.I.R. The name of the petitioners has sprung up in the confessional statement of the co-accused, Om Prakash Pathak. Learned counsel has further submitted that the specific allegation of committing murder is against the co-accused, Om Prakash Pathak who confessed his guilt and committed murder of the deceased along with the other accused persons. The petitioners have no concern with the alleged offence. Nothing has been recovered from the conscious possession of the



petitioners. The petitioner, Pradeep Kumar Sah has no criminal antecedent whereas the petitioner, Md. Shamsheer have eight criminal antecedents as stated in para 3 of the bail petition. The petitioners are in custody since 10.09.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Darbhanga in connection with Singhwara P.S. Case No. 246 of 2024 with the condition :-

(i) The petitioners are directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioners are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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