

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.109 of 2025

Arising Out of PS. Case No.-376 Year-2024 Thana- MADHUBAN District- East Champaran

Sahjad Alam @ Shahzad Ansari S/o Jamaludin Ansari R/o Village- Jogaulia
Tola Palat, P.S.- Madhuban, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Mr.Bharat Lal

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

ORAL ORDER

3 19-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Madhuban P.S. Case No. 376/2024 dated 06.09.2024 registered for the offences punishable u/ss 103(1), 61(2) read with 3(5) of the B.N.S.

3. As per the prosecution case, on 05-09-2024 at about 07:00 P.M., the co-accused Momina Khatoon came to the house of informant and took her son, namely, Namjat Ali with her, but the son of informant did not return to his house and he also did not respond to the call of informant. Thereafter, the informant came to know that his son was murdered and his dead body is lying in the maize field. Further, the informant has



alleged that the petitioner and the co-accused persons in connivance with one another have committed murder of her son.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has transpired in this case merely on suspicion. There is general and omnibus allegation against the petitioner. The petitioner has no concern with the alleged occurrence. The co-accused, Irshad Alam has stated the *modus operandi* as to how the occurrence took place with the assistance of the petitioner and the other co-accused persons but the said statement does not have any evidentiary value in the eye of law. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 08.09.2024. The co-accused has been granted regular bail by this Court vide order dated 05.02.2025 passed in Cr. Misc. No. 86568 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. As per the post-mortem report, the doctor has found two stab wounds on the body of the deceased and the cause of death is mentioned as lung laceration with shock and injury is caused by sharp weapon.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Motihari, East Champaran, in connection with Madhuban P.S. Case No. 376/2024, with the condition:-

(i). The petitioner is 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 petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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