

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19552 of 2026

Arising Out of PS. Case No.-135 Year-2025 Thana- SANGRAMPUR District- Munger

Md. Afroz S/o- Md. Naushad R/v- Koraji Ps- Sangrampur Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Sah, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 31-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Sangrampur P.S. Case No. 135 of 2025 registered for the offence punishable under Sections 103, 61(2) and 3(5) of the B.N.S., 2023.

3. The case of the prosecution, in short, is that the petitioner has threatened the son of the informant with dire consequences. It is alleged that the deceased was at his shop on 11.08.2025 and from there he proceeded for home. When he was called, he disclosed that he would arrive within 10-20 minutes. He was called further on at 11 PM, at that time, his mobile was switched off. On 12.08.2025 also, the deceased could not be contacted and on 13.08.2025, the informant



received information that a body was lying near the banks of the Tauri River. When the informant reached there, he found his son's dead body (deceased).

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that only allegation against the petitioner is that the petitioner has threatened the son of the informant to remove him within three days and that within three days he has removed him. He also submits that the informant was not in touch with his son after 11.08.2025 and the dead body was received on 13.08.2025, whereas the case has been filed on 15.08.2025. There is a delay in filing the FIR and the delay has not been explained. He further submits that from perusal of the post-mortem report, it will transpire that the board of doctors conducting the autopsy of the deceased have found only one ante-mortem injury, i.e., a ligature mark of size one inch in width all over the neck above the thyroid cartilage, with no other mark present and the cause of death is *asphyxia* caused by hanging. He further submits that though the cause of death according to the post-mortem report is hanging, the body of the deceased was found near the banks of the Tauri River. It is not



clear as to where the deceased was hanged. From perusal of the case diary, it is clear that the informant is not an eyewitness and this case is based only on suspicion. He further submits that similarly situated other co-accused, namely Md. Naushad, has been granted bail by the learned coordinate bench of this court vide Cr. Misc. No. 408 of 2026. Moreover, a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 22.08.2025.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IV, Munger in connection with Sangrampur P.S. Case No. 135 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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