

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58703 of 2025

Arising Out of PS. Case No.-89 Year-2025 Thana- JALALGARH District- Purnia

Md. Matin @ Md. Matin Alam S/o Md. Mokim Resident of village- Jhawari,
P.S- Jalalgarh, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 25-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 103(1), 238 and 3(5) of
B.N.S., 2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is in custody
since 11.06.2025 and the informant alleges that daughter of Md.
Mokim and son of the informant, namely, Md. Taufique were in
love and they fled from the house on 02.05.2025 at 06:00 p.m.
Further, on 03.05.2025, the father of the girl along with uncle
and two other people came to the house of the informant and
asked him to bring back Tafique who had fled with their
daughter or else the consequences would be bad. It is next



alleged that two days later, the informant came to know that his son and the girl were caught at Chandigarh by the girl's family members, i.e., Md. Azad, Md. Waris and Md. Sharukh and both boy and the girl were brought from Chandigarh to Jhabari but then no information was given to the police or to the informant. The informant on coming to know that his son and the girl have been brought back from Chandigarh, went to the house of the accused persons when he came to know that his son Md. Tafique has been murdered. Accordingly, the police was informed and the dead body of the son of the informant was found lying at Verandah of Md. Nayeem's house. The informant also came to know that his son was kept in captivity a day before, thus, alleges that the accused persons including the petitioner killed his son.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations, as alleged in the FIR, it would manifest that the same hinges around suspicion as petitioner is not an eye witness to the occurrence. It is also submitted that the informant in the FIR specifically alleges that three named persons had gone to Chandigarh for bringing back his son and



the girl but then he does not name the petitioner who had gone to Chandigarh for bringing back Tafique and the girl. It is also submitted that dead body of the son of the informant was found at the Verandah of Nayeem and Nayeem in no way is related to the family of the girl. It is further submitted that petitioner being brother of the girl with whom Tafique had fled, as such, has been implicated in the instant case based on suspicion.

5. The learned APP for the State vehemently opposes the bail application by submitting that what is not in dispute rather stands admitted is that son of the informant died. It is also submitted that family members of the girl had come to the house of the informant asking him to bring back Md. Taufique and the girl, failing which the consequences would be bad. It is next submitted that it is also not in dispute that Tafique and the girl were brought back to Jhabari where the dead body of Tafique was found, i.e., at Verandah of Nayeem. It is further submitted that Nayeem, as submitted, is not related with the family members of the girl but then the dead body was found at his Verandah but then what would be the motive of Nayeem to kill the son of the informant when the girl was not related to him in any manner but then it is submitted that petitioner, who is brother of the girl with whom Tafique had fled, may have a



motive of committing the occurrence being aggrieved by the fact that son of the informant fled with his sister. It is also submitted that specific allegation is alleged in the FIR that when Tafique along with the girl were brought to Jhabari, the police was not informed which amply demonstrates the intention of the accused persons including the petitioner.

6. At this stage, the learned counsel appearing on behalf of the petitioner submits that even presuming what has been alleged is true without admitting then informant is not an eye witness to the occurrence and the petitioner is languishing in judicial custody since 11.06.2025. It is also submitted that informant subsequently before the learned Trial Court has given an application that he has not named anyone in the FIR on which the learned APP submits that this is all the reason that why bail should not be granted to the petitioner as it appears that they are trying to manage the case. It is further submitted that it does not appear probable that police would have known the name of the family members of the girl in such detail as to be incorporated in the FIR only with an intent to falsely implicate them. It is also submitted that when petitioner is in custody and is trying to tamper with the evidence, one can well imagine what petitioner can do after his release.



7. After hearing learned counsel for the parties, the Court is not inclined to release the petitioner on bail. Accordingly, the prayer for grant of bail to the petitioner is hereby rejected in connection with Jalalgarh P.S. Case No.89 of 2025, pending in the court of learned Chief Judicial Magistrate, Purnea.

(Satyavrat Verma, J)

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