

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67700 of 2025

Arising Out of PS. Case No.-23 Year-2025 Thana- BHITAHA District- West Champaran

Sakir Ali Son of Balistar Gaddi Resident of Village - Hirasoti, Police Station -
Bhitaha, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 19-03-2026 Heard Mr.Milind Kumar Mishra, learned counsel for
the petitioner and Mr.Ram Priya Sharan Singh, learned Additional
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 06.03. 2025
in connection with Sessions Trial No. 648 of 2025 arising out of
Bhitaha P.S. Case No. 23 of 2025, F.I.R. dated 25.02.2025 for the
offences punishable under Sections 80, 352, 351 (2) and 3 (5) of
B.N.S, 2023.

3. According to prosecution case, petitioner and others
killed the sister of the informant for non-fulfillment of demand of
dowry.

4. Learned counsel for the petitioner submits that petitioner
has clean antecedent and he has falsely been implicated in the present
case. Allegation as alleged in the F.I.R is false and fabricated. The
petitioner has not committed any offence as alleged in the F.I.R. It



appears from the F.I.R itself that informant is not an eye witness of the alleged occurrence and petitioner has been accused in this case only on the ground that petitioner is the husband of the deceased. Learned counsel further submits that it appears from paragraph 33 of the case diary that relevant witness Manjur Ali stated that the petitioner has hired the vehicle of Manjur Ali for treatment of the deceased but in the midst of Gorakhpur it has been found that she has died and police after investigation submitted charge sheet. Petitioner is in custody since 06.03.2025. Learned counsel further submits that trial has begun and two of the witness have been examined and both of the witnesses have become hostile.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, witnesses have not supported the case of prosecution in the trial and the petitioner is in custody since 06.03.2025, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-1st Bagaha, West Champaran in connection with Sessions Trial No. 648 of 2025, arising out of Bhitaha P.S. Case No. 23 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and



shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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