

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70780 of 2025

Arising Out of PS. Case No.-237 Year-2024 Thana- BALIYA District- Begusarai

Md Ajahar Son of Md Allauddin Resident Of Village- Chhoti Ballia, Satti
Chaura, Ps- Ballia, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Sharma, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP
For the Informant : Mr. Manoj Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 02-02-2026 Heard learned counsel for the petitioner and learned APP
for the State as also learned counsel for the Informant. Perused
the case diary.

2. The petitioner seeks bail in connection with Ballia
P.S. Case No. 237 of 2024 instituted for the offences under
Sections 326(g), 103(1), 61(2), 124(1) & 109(1) of the Bhartiya
Nyaya Sanhita.

4. As per prosecution case, some persons came in the
house of the Informant and throw petrol over the body of her
father Sabir Hasan and brother Md. Arman and set them into fire
due to which both of them got serious burn injury. It is alleged
that both of them died in course of their treatment.

5. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner is not named in the F.I.R. and his name has transpired in this case in course of investigation. The petitioner has not committed any offence as alleged in the F.I.R. There is no specific or direct allegation of any overt act against the petitioners rather the same is general and omnibus in nature. The postmortem report does not support the prosecution case. The petitioner has no criminal antecedent and is languishing in judicial custody since 16.02.2025, respectively without any rhymes or reason.

6. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. In para-76 of the case diary, the injured Md. Arman has not taken the name of the petitioner, but mobile phone of the deceased was recovered from the petitioner's possession. The Investigating Officer, after completion of investigation, has submitted charge-sheet under Sections 326(g), 103(1), 61(2), 109(1), 3(5) of the Bhartiya Nyaya Sanhita. Bail of other co-accused has been rejected by this Court vide order dated 07-04-2025, passed in Cr. Misc. No.



1197 of 2025.

7. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ballia P.S. Case No. 237 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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