

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2634 of 2026

Arising Out of PS. Case No.-7 Year-2025 Thana- FATEHPUR District- Kishanganj

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Sohel @ Md. Sohel Alam S/O Islamuddin Resident of Bairiya, P.S.- Fatehpur,
District - Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Raj Kumar, Advocate
For the Opposite Party/s :	Mr. Sanjay Kumar Tiwary, A.P.P.
For the Informant :	Mr. Nilendu Kumar Choudhary, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 13-02-2026 Heard learned counsel for the petitioner, informant
and learned A.P.P. for the State.

2. Petitioner seeks regular bail in connection with
Fatehpur P. S. Case No. 07 of 2025 registered for the offences
punishable under Sections 103(1), 238, 61(2), 3(5) of the
Bharatiya Nyaya Sanhita.

3. As per prosecution case, informant Noman Alam
stated that he and his brother Mujammil Hussain were residing
at Ahemdabad. Since last one year, his brother was doing
agriculture work at village Bairiya on his ancestral land. His
brother was killed on 27-02-2025 and his dead body was kept in
his house secretly. His uncle informed him in this regard.
Informant came at his house and saw the dead body. There was



black mark on neck of the dead body and injury marks on other parts of the body. On the pressure of people of locality, the informant did not inform the police with regard to the occurrence and postmortem of dead body was also not done. The informant raised suspicion against the petitioner, and other co-accused persons for the aforesaid offence.

4. Learned counsel appearing for the petitioner submits that informant is not an eye witness to the occurrence. Petitioner has been made accused in this case only on suspicion. During investigation, none of the witnesses claimed to have seen this petitioner to commit offence. Similarly situated co-accused, namely, Arshadi has already been granted regular bail by this Court *vide* order dated 03.12.2025 passed in Cr. Misc. No. 59672 of 2025. Petitioner is in custody since 17.4.2025.

5. However, learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the bail application.

6. Considering the nature of accusation and period of custody, this bail application is allowed. The petitioner, above named, is directed to 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 Sessions Judge,



Kishanganj in connection with Fatehpur P. S. Case No. 07 of
2025.

(Prabhat Kumar Singh, J)

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