

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1331 of 2026

Arising Out of PS. Case No.-76 Year-2023 Thana- DHAKA District- East Champaran

Sheikh Aliyas Son of Sheikh Molani @ Sheikh Molavi Resident of village -
Saratha, P.S.- Dhaka, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar
		Mr.Hament Ray
For the Opposite Party/s :		Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 27-04-2026 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.
3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and is a senior citizen aged about 69 years and the informant alleges that on account of an altercation in between the children, her mother in-law Sushila Khatoon went to the house of Sheikh Rajoo where it is alleged that five named accused persons including the petitioner were present and on orders of petitioner, Sheikh Rajoo dashed her on the ground and pressed the neck of her mother in-



law with his leg on account of which she became unconscious and thereafter on way to hospital she died.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that informant is not an eye witness to the occurrence. It is further submitted that petitioner is a senior citizen aged about 69 years and has remained a person with clean antecedent and all of a sudden has been made a criminal with an allegation that on his orders Sheikh Rajoo strangled the mother in-law of the informant. It is further submitted that post mortem report also does not corroborate the allegations as alleged in the FIR as the doctors after post mortem have opined that cause of death is not clear hence viscera has been preserved. It is further submitted that the doctors on internal examination of neck has recorded no corroborative injuries found on neck after dissection. It is thus submitted that if what has been alleged by the informant is true in that event the post mortem report would have corroborated the allegations as alleged in the FIR but then that is not the case. It is also submitted that SK. Rajoo had approached this Court seeking anticipatory bail by filing Cr. Misc. No.42444 of 2023 and the same came to be allowed by an order dated 01.02.2024



passed by a learned Coordinate Bench.

5. Learned A.P.P. opposes the anticipatory bail application.

6. After hearing the learned counsel for the parties and taking into consideration the order dated 01.02.2024 in Cr. Misc. No.42444 of 2023, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with Dhaka P. S. Case No.76 of 2023, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Satyavrat Verma, J)

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