

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72843 of 2024**

Arising Out of PS. Case No.-118 Year-2024 Thana- GOPALGANJ TOWN District-  
Gopalganj

Md. Faisal @ Taufiq S/o Late Shamshul Hoda R/o Village- Takia Bankat,  
P.S.- Gopalganj Town, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                                  |
|----------------------------|----------------------------------|
| For the Petitioner/s :     | Sri Y.V. Giri, Sr. Advocate      |
|                            | Sri Mr. Devashish Giri, Advocate |
| For the Opposite Party/s : | Sri Ram Sevak Choudhary, A.P.P.  |

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      05-10-2024                      1. Heard Sri Y.V. Giri learned Senior Counsel for the  
petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302 and 120B/34 of the Indian Penal Code as well as Section 27 of the Arms Act.

3. Learned Senior Counsel for the petitioner submits that petitioner has antecedent of three cases but he has been acquitted in one case. It is next submitted that the informant alleges that his father had to board train for going to Lucknow, hence, he went to the railway station on a motorcycle driven by Amanul and when they reached near Turkaha water plant when Mahtab shot him and fled towards the water plant where the accused persons were also present who subsequently fled and



his father was brought to Sadar Hospital where he succumbed to the injuries.

4. Learned Senior Counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that specific allegation of firing is against Mahtab. It is also submitted that informant is not an eyewitness to the occurrence. It is next submitted that petitioner is not named in the FIR. It is further submitted that petitioner is a businessman and he came to be implicated during the course of investigation. It is next submitted that Parwej Alam had approached this Court seeking anticipatory bail by filing Cr. Misc. No. 44358 of 2024 and the same was allowed by an order dated 09.08.2024. It is next submitted that Parwej Alam is named in the FIR and as such the case of the petitioner is on a better footing. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned Senior Counsel for the petitioner, let the petitioner above-



named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Gopalganj P.S. Case No. 118 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. One of the bailors of the petitioner shall be his uncle, namely, Qamrul Hoda.

8. However, it is made clear that if the investigating officer of the case files an application bringing to the notice of the learned trial court that petitioner despite giving assurance to this Court is not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

9. It is made clear that if charge-sheet is submitted connecting the petitioner with the offence, in that event, the present anticipatory bail order shall lose its effect.

**(Satyavrat Verma, J)**

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