

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12655 of 2025

Arising Out of PS. Case No.-193 Year-2024 Thana- GWALPARA District- Madhepura

1. Meer Akhtar Son of Late Meer Nashivar R/O- Jhanjhri, P.S.- Gwalpara, District- Madhepura
2. Jarina Khatoon Wife of Meer Akhtar R/O- Jhanjhri, P.S.- Gwalpara, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 13674 of 2025

Arising Out of PS. Case No.-193 Year-2024 Thana- GWALPARA District- Madhepura

Md. Babul Khan @ Babul Kha @ Md. Babul @ Babul Khan S/O Fekan Khan @ Feku Khan R/O Village- Jotmanohar (Jhanjhri), Ward No. 14, P.S.- Gwalpara, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 15489 of 2025

Arising Out of PS. Case No.-193 Year-2024 Thana- GWALPARA District- Madhepura

Sultan Khan S/o- Feku Khan Resident of Village- Jotmanohar Jhanjhir Ward No. 14, P.S.- Gwalpara, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 12655 of 2025)

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Adv.
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP
Mr. Nafisuzzoha, Adv.
Mr. Md. Mahtab Ali, Adv.
Mr. Alammanour, Adv.
Mr. Kundan Singh, Adv.



(In CRIMINAL MISCELLANEOUS No. 13674 of 2025)

For the Petitioner/s : Mr. Rupesh Kumar, Adv.
For the Opposite Party/s : Mr. Arun Kumar Singh, APP
Mr. Nafisuzzoha, Adv.
Mr. Md. Mahtab Ali, Adv.
Mr. Alammanour, Adv.
Mr. Kundan Singh, Adv.

(In CRIMINAL MISCELLANEOUS No. 15489 of 2025)

For the Petitioner/s : Ms. Patla Kumari, Adv.
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP
Mr. Nafisuzzoha, Adv.
Mr. Md. Mahtab Ali, Adv.
Mr. Alammanour, Adv.
Mr. Kundan Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

2. Since all three applications arise from the same P.S. case number, they have been heard together and are being disposed of by this common order.

3. The petitioners apprehend arrest in connection with Gwalpara PS Case No. 193 of 2024 dated 20-09-2024 instituted for the offence punishable under Sections 103(1), 61, and 3(5) of the B.N.S.S. 2023 and Section 27 of the Arms Act.

4. The prosecution case, in short, is that on 18.09.2024, the informant's husband, Md. Farooque, went to visit his paddy field and orchard while she was also out for a morning walk. As he reached the field, co-accused Meer Azad, Feku Khan, Samim Alam @ Fulo Khan, and Salauddin, armed with country-made pistols, opened fire on him. It is alleged that



bullets fired by Meer Azad and Samim Alam @ Fulo Khan, hit his rib cage and upper body, while bullets fired by Fenku Khan and Salauddin Khan missed him. As a result, he succumbed to his injuries and died on the spot. As per the written report, the FIR named accused persons, including the petitioners, alleging that they conspired to murder the informant's husband, Md. Farooque.

5. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the instant case. It is submitted that twenty three persons have been named as accused in the present case, including the petitioners. However, there are no specific allegation against the petitioners. The specific accusation of firing at the informant's husband is attributed to co-accused Meer Azad, Feku Khan, Samim Alam @ Fulo Khan, and Salauddin, who were allegedly armed with country made firearms. The only allegation levelled against the petitioners is that they were allegedly involved in a conspiracy to plan the murder of the informant's husband. The petitioners in all three cases have no criminal antecedents.

6. Learned counsel for the informant and learned A.P.P. for the State have vehemently opposed the prayer for anticipatory bail of the petitioners.



7.Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners in all three cases be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st class Udakishunganj at Madhepura in Gwalpara PS Case No. 193 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

8. The applications stand allowed.

(Khatim Reza, J)

shyambihari/-

U			
---	--	--	--

