

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39299 of 2025

Arising Out of PS. Case No.-343 Year-2023 Thana- FORBESGANJ District- Araria

MOLVI ARSHAD @ ARSHAD @ ARSAD Son of Kavil Hussain R/o village
- Haldia Bokra, Salim Tola, Ward No.- 7, P.S.- Forbesganj (Simraha), District
- Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Naushaduzzoha

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 14-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Forbesganj (Simraha) P.S. Case No. 343 of 2023 dated 18.04.2023 registered for the offences punishable u/ss 147, 148, 149, 341, 323, 324, 302, 120B, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the accused persons named in the F.I.R. are alleged to have assaulted the informant's husband with a knife, sword and garasa and broke his hands and legs. The injured person was taken to the hospital where he died during the course of treatment.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Md. Mokim @ Mokim. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged offence. The co-accused person has already been granted regular bail by this court vide order dated 28.06.2024 passed in Cr. Misc. No. 1072/2024. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 11.03.2025.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that as per impugned order, in para 63 of the case diary, the petitioner has confessed his guilt in the alleged offence and he also alleged that under conspiracy, he called the deceased from his house and took him to a hut where all the accused persons started assaulting him with lathi, danda, axe and rod and left him in a dying condition which is evident from the paras 90, 91, 143, 144 and 145 in which the witnesses have also supported the prosecution case. As per the post-mortem report of the deceased, the cause of death is hemorrhage and shock as a result of stab injuries.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the



petitioner, I am not inclined to enlarge the petitioner above-named on bail.

7. Learned trial court is directed to expedite the trial and conclude the same at the earliest.

8. The application stands rejected.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

