

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49413 of 2025

Arising Out of PS. Case No.-149 Year-2023 Thana- GWALPARA District- Madhepura

1. MD. AFROJ KHAN @ MD. AFROJ S/O LATE MD. ALMUDDEN KHAN @ ALMUDDI KHAN R/o vill - Gwalpara, ward no. 6, P.s.- Gwalpara, Distt.- Madhepura
2. Md. Abdul @ Sattar @ Abdul S/o Naim Khan R/o vill - Gwalpara, ward no. 6, P.s.- Gwalpara, Distt.- Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Laxmi Kumari
For the Opposite Party/s : Mr. Kalyan Shankar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-08-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Gwalpara P.S. Case No.149/2023, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 379, 385, 307, 504 of the Indian Penal Code & Section 27 of the Arms Act.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that Raja Khan fired, causing injury to the injured near his chest and he fell, thereafter Abdul @ Sattar also fired causing minor injury on his thigh, further Md. Afroj also fired



but missed. It is next alleged that after the informant fell, the accused persons started assaulting him but then there was an electricity cut, hence injured tried to flee but he was caught by Md. Hasan and Md. Anjar but he managed to flee by jumping a wall. It is next alleged that the occurrence took place as injured refused to give extortion of Rs.2 lacs.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that though there is an allegation of demand of extortion but then the same is general and omnibus in nature as the informant does not disclose that as to when extortion was demanded. It is also submitted that petitioners are labourers and they work at Delhi and Punjab.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that there is allegation of firing and the informant specifically alleges that on account of firing made by Raja, he suffered injury on his chest and on thigh by firing made by the petitioner no.2. It is further submitted that though a ground has been taken that petitioners work at Delhi and Punjab but then no address has been mentioned in the anticipatory bail application that as to where they stay in Delhi/Punjab. It is also submitted that investigation



of the case is in nascent stages and informant suffered firearm injury.

6. Considering the submissions made by the learned APP, the Court is not inclined to extend the privilege of anticipatory bail to the petitioners.

7. The anticipatory bail application of the petitioners is rejected.

(Satyavrat Verma, J)

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