

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48527 of 2025

Arising Out of PS. Case No.-101 Year-2025 Thana- BAIRIYA District- West Champaran

Firoz Mian, aged about 45 years, Male, S/O Late Habib Mian, resident of
Village- Siswa Saraiya, P.S.- Bairiya, Distt.- West Champaran
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :		
For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate
For the State	:	Mr. Shyameshwar Dayal, APP
For the Informant	:	Mr. Sunil Kumar No.III, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 30-07-2025 Heard learned counsel for the petitioner; learned
Additional Public Prosecutor for the State and learned counsel
for the informant, who has appeared *suo motu*.

2. The petitioner seeks bail in connection with Bairiya
PS Case No.101 of 2025 dated 28.03.2025, instituted for the
offence punishable under Sections 103(1), 74, 3(5) of the
Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that three days
prior to the alleged date of occurrence, co-accused Shahabuddin
Mian pressurized the niece of the informant, Hasan Tara
Khatoon, for establishing illicit relationship with him because
her husband was living abroad. When she raised objection, co-
accused Shahabuddin Mian threatened her that her father will be



killed. The niece of the informant told the entire episode to her father, who was considering for making an enquiry into the matter. Further allegation is that on the alleged date of occurrence, the accused persons named in the FIR and the petitioner in conspiracy with each other came over the roof of Bashir Mian and accused, Shahabuddin Mian, Ishtakhar Mian, Dillu Mian, Naushad Mian entered into the house of the informant's brother and started misbehaving with the niece of the informant. Upon her alarm, when the brother of the informant went to save her, co-accused Shahabuddin Mian and Ishtakhar Mian gave several knife blow over the chest of the deceased. Co-accused Dillu and Naushad had caught the deceased. He fell down and became unconscious and died during the course of treatment.

4. Learned counsel for the petitioner submits that there is no specific accusation levelled against the petitioner. Only his name has been mentioned in the written report without any specific overt act. Specific allegation of stabbing is against other co-accused that they stabbed the brother of the informant. Further submission is that petitioner is in custody since 29.03.2025 having clean antecedents.

5. Learned APP as well as learned counsel for the



informant has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the CJM, Bettiah, West Champaran, in Bairiya PS Case No.101 of 2025.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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