

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53823 of 2025**

Arising Out of PS. Case No.-54 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Buggi Thakur @ Pawan Thakur @ Guggi Thakur @ Pawan Kumar, aged
about 52 years (Male), son of Late Choudhary Thakur, R/O Village- Baghi,
Ward No. 24, P.S.- Nagar (Lohiyanagar O.P.) District- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Krishna Prabhat, Advocate
For the Informant	:	M/S. Ashok Kumar and Manoj Kumar, Advocates.
For the State	:	Mr. Ram Priya Sharan Singh, A.P.P.

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

ORAL ORDER

3 27-11-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with S.T.
Case No. 1074/2023, arising out of Muffasil P.S. Case No.
54/2023 dated 02.02.2023 registered for the offences punishable
under Sections 302, 120B read with Section 34 of the I.P.C. and
Section 27 of the Arms Act.

3. As per the prosecution case, the co-accused Faiz
Ahmad Khan fired on the leg of the informant's husband. The
co-accused Furan and Saiful Ansari fired on the informant's
husband. Thereafter, the co-accused Faiz Ahmad and two



unknown miscreants fired on her husband who died on the spot.

4. Earlier the prayer for bail of the petitioner was rejected by the Co-ordinate Bench of this Court in Cr. Misc. No. 52873 of 2023 vide order dated 29.01.2024, annexed as Annexure-P/1 to the present bail application, with a direction to the learned trial court to expedite the trial and conclude the same as soon as possible and thereafter again prayer for bail of the petitioner was rejected in Cr. Misc. No. 53176 of 2024 vide order dated 06.12.2024 by a Bench of this Court.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner has no concern with the alleged offence. The petitioner is not named in the F.I.R. whereas there is specific allegation of firing against the F.I.R. named accused persons. The name of the petitioner has surfaced in the present case on the basis of the confessional statement of the co-accused Faiz Ahmad Khan and Md. Mahfooz Ansari. No incriminating article has been recovered from the possession of the petitioner. There is no independent witness to the alleged offence. It is further submitted that the petitioner was not identified during the course of T.I. Parade. It is further submitted that the co-accused Md. Mahfooz Ansari on whose confessional



statement, the name of the petitioner has been transpired in the present case in Cr. Misc. No. 35582 of 2023, Md. Ishitiyaque in Cr. Misc. No. 28908 of 2023, Jamil Ansari @ Jamil Akhtar @ Md. Jamil Ansari in Cr. Misc. No. 33341 of 2023 vide order dated 13.07.2023 respectively, Md. Saud Ansari whose name was also transpired in the present case on the basis of the confessional statement of the co-accused Faiz Ahmad Khan in Cr. Misc. No. 37222 of 2023 vide order dated 07.07.2023 and Md. Saiful Ansari @ Md. Saifullah Ansari in Cr. Misc. No. 13850 of 2024 vide order dated 03.05.2024 whose name was also transpired in the present case on the basis of the confessional statement of the other co-accused persons have been granted bail by another Co-ordinate Bench as well as by a Bench of this Court, annexed as Annexures-P/3, P/4 and P/5 to the present bail application. It is further submitted that during the course of trial, none of the witnesses have named the petitioner in any manner rather all the witnesses are just hearsay witnesses. There is no likelihood of trial being concluded in near future. There are vital contradictions in the depositions of all the P.Ws., and no specific allegation has been attributed against the petitioner. The petitioner has seven criminal antecedents and out of which, in two cases, he is on bail and in two cases, he has



been acquitted as stated in paragraph no. 3 of the bail petition.

The petitioner is in custody in this case since 27.02.2023.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner and has further submitted that the name of the petitioner has been transpired on the basis of the confessional statement of the other co-accused persons, namely, Md. Farhan and Md. Mahfuz Ansari who had stated about the complicity of the petitioner in commission of murder of the informant's husband. Learned counsel for the informant has further submitted that from perusal of paragraph no. 105 of the case diary, it is evident that the confessional statement of the petitioner was recorded in which he confessed his guilt and stated that he fired upon the deceased. He further submits that from perusal of the paragraph no. 26 of the main case diary, it appears that the witness has stated that the co-accused hired this petitioner as a shooter to commit this offence. From perusal of the postmortem report, several entry wounds were found on the body of the deceased and the doctor opined that the cause of death of the deceased is due to injuries caused by firearms. The petitioner is a notorious criminal who carries Rs. 50,000/- as award as per the police office of Begusarai dated 26.02.2023.



7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-XI, Begusarai in connection with S.T. Case No. 1074 of 2023, arising out of Muffasil P.S. Case No. 54/2023 with further conditions:-

(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

II. The petitioner is directed to co-operate in the trial.

III. If the petitioner is found involved in similar nature of offence in future, his bail bond is liable to be cancelled.

8. The application stands allowed.

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(Chandra Prakash Singh, J)

