

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58291 of 2025

Arising Out of PS. Case No.-89 Year-2025 Thana- JALALGARH District- Purnia

1. Md. Waris @ Waris son of Md. Makim Resident of Jhawari, P.S. - Amour, District - Purnea
2. Md. Kaisar son of Md. Nayeem Resident of Jhawari, P.S. - Amour, District - Purnea
3. Md. Mosabbir son of Md. Nayeem Resident of Jhawari, P.S. - Amour, District - Purnea
4. Md. Manower and Manowar son of Md. Nayeem Resident of Jhawari, P.S. - Amour, District - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar. Adv

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-09-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Jalalgarh P.S. Case No. 89 of 2025 registered for the offences punishable under Sections 103(1), 238 and 3(5) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that his son Taufique was in love with the daughter of Md. Mokim of village Jhawari and they eloped on 2-5-2025,



further on 3-5-2025, girl's father, uncle along with two unknown persons came and threatened to ensure that girl is back or consequences would follow. It is next alleged that informant came to know that girl's family member, namely Md. Azad and Md. Waris along with Md. Shahrukh caught his son and the girl at Chandigarh, but Chandigarh police was not informed, thereafter informant came to know that his son has been killed, accordingly he reached Jalalgarh P.S. and found the dead body of his son.

4. The learned counsel appearing on behalf of the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that informant himself alleges that his son and daughter of Md. Mokim, who were in love, eloped on 2-5-2025. It is further submitted that petitioners have no concern with Md. Mokim. It is also submitted that informant is not an eyewitness to the occurrence and from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that he came to know that his son and the girl were apprehended at Chandigarh by Md. Waris, Md. Azad and others, but then the source of information is not disclosed.



5. The learned APP vehemently opposes the anticipatory bail application and submits that it was not necessary for the informant to disclose the source of information that as to who informed that his son was apprehended at Chandigarh. It is next submitted that there is a specific allegation that Md. Waris along with Azad and others had apprehended his son at Chandigarh and the Chandigarh police was not informed and later the dead body of his son was recovered. It is further submitted that it appears to be a case of honor killing and investigation is in its nascent stages.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

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

8. Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

(Satyavrat Verma, J)

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