

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61546 of 2025

Arising Out of PS. Case No.-606 Year-2024 Thana- MAJHAULIA District- West Champaran

Faiyaj Alam @ Phaiyaj Alam S/O Sheikh Amamul @ S.K. Ammaul R/O
Vill.-Jhumaka, P.S.- Sikta, Dist.- West Champaran. Presently Residing at
Vill.- Ramparsauna, P.S.- Sathi, Dist.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jainendra Kumar Pushkar, Adv.

For the Opposite Party/s : Mr. Harendra Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-09-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner has earlier moved before a Co-ordinate Bench of this Court with a prayer for anticipatory bail which was allowed vide order dated 12.05.2025 passed in Cr. Misc. No. 9114 of 2025 with a direction to the District Court to verify the criminal antecedent of the petitioner and if it is found that the petitioner no.3 is involved in some other cases as what has been stated in Para-3 of the bail petition, the order will automatically lose its force. Learned counsel for the petitioner further submits that the petitioner surrendered before the court of Chief Judicial Magistrate for furnishing bail



bond on 02.05.2025 but, he was taken into custody.

3. The petitioner seeks bail in connection with Majhaulia P.S. Case No. 606 of 2024 instituted for the offences under Sections 103(2), 80, 61(2)(a) of the Bhartiya Nyaya Sanhita, 2023.

4. As per prosecution case, the accusation against the accused persons including the petitioner is of torturing and ultimately committing murder of the informant's daughter for non-fulfillment of dowry demand.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to ulterior motive. The petitioner is the Bhai-sur of the deceased who lives in Delhi for his livelihood. He further submits that there is delay of two days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. He further submits that at the time of occurrence, the petitioner was in Delhi and, hence, there is no specific or direct allegation of any overt act against the



petitioner rather the same is general and omnibus in nature and, He further submits that specific allegation is against the co-accused Nazir Alam @ Nasim who has been declared juvenile and is in custody. There is no eye-witness to the alleged occurrence. He further submits that the cause of death opined by the doctor is Hemorrhage shock and due to blood lost. The petitioner has no concern with the alleged occurrence. The petitioner has two criminal antecedents and, in both of them, he is on bail and is languishing in judicial custody since 02.06.2025 without any rhymes or reason.

6. Learned counsel for the petitioner again submits that the co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 14.05.2025 passed in Cr. Misc. No. 9120 of 2025.

7. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

8. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner as also there



being no specific allegation of any overt act against the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Majhaulia P.S. Case No. 606 of 2024.

(Rudra Prakash Mishra, J)

rishi/-

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

