

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62273 of 2025

Arising Out of PS. Case No.-67 Year-2025 Thana- GAUNAHA District- West Champaran

Firoz Alam @ Firoz Khan @ Phiroj Khan S/o Late Samsiddin Khan @
Shamshul Khan @ Samsul Khan R/o Village- Pakdi Bisauli, Madhopur, P.S.-
Gaunaha, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Chandra, Adv.

For the Opposite Party/s : Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 12-09-2025 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant, Mr. Bimlesh Kumar Pandey.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 109(1), 118(1) and 103(1) of the BNS, 2023.
3. Learned counsel for the petitioner submits that petitioner has antecedent of one case in which he has been granted bail. It is next submitted that informant, who is mother of the deceased, alleges that she along with some of her family members had gone to the filed, when accused persons came and Adnan, Ayan, Aman Kamal, Adnan Kamal and Dolar stabbed



her son causing injury on his abdomen, further Imranul, Shabnam and Kyamuddin Kamal assaulted her brother Wasim Akhtar by *lathi* and knife causing injury on head, thereafter Nazir, Firoz and Ekbal stabbed Basim Sah causing injury in his stomach and also cut his two fingers, thereafter, accused fled and injured were taken to hospital, but her son died on the way.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that specific allegation of assaulting her son and brother is against the named accused person. It is next submitted that there is no specific allegation of assault against the petitioner. It is also submitted that Shabnam Khatoon who is alleged to have assaulted her brother Wasim along with Imranul and Kayamuddin was not even present at the place of occurrence. It is next submitted that on account of dispute relating to land, the present occurrence is alleged to have taken place.

5. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioner and submits that informant is an eye witness to the occurrence and has given a vivid



description of the occurrence. It is also submitted that son of the informant died on account of stabbing, as such, it does not appear probable that informant would have implicated innocent persons who were not responsible for the killing of her son. It is next submitted that no doubt no specific allegation of assault is alleged against the petitioner, but then his presence at the place of occurrence emboldened the other named accused to commit the occurrence of stabbing. The learned APP, at this stage, submits that investigation in the case is continuing.

6. Considering the submissions made by the learned APP for the State and the learned counsel appearing on behalf of the informant, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the instant anticipatory bail application stands rejected.

(Satyavrat Verma, J)

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