

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79968 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- BATHWARIA District- West Champaran

Afjal Alam @ Afjal Miyan son of Samfulaiye Miyan @ Sukul Miyan @
Saiful Miyan village- Olinagar, Ps- Chautarwa, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar Singh, Adv.

For the Opposite Party/s : Mrs.Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 12-02-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Bathwariya P.S. Case No.26 of 2024 lodged under Sections 302,
201 and 34 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against 6 named accused persons including the petitioner
against whom suspicion has been drawn in the F.I.R. against
them.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that F.I.R. has been lodged on suspicion and the material against
the petitioner is only his confessional statement and there is no
corroboration at all.



5. Counsel further submits that petitioner is in custody since 21.06.2024 having one criminal case pending against him, which has been lodged by the informant himself. He further submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

6. Learned Counsel for the State opposes the prayer for bail and submits that the confession of the petitioner is not only confession rather it is corroboration also. He further submits that corroboration has been made by virtue of the *modus operandi* of the murder, which has been narrated by the petitioner, has fully supported in the post-mortem report.

7. Counsel further submits that in the confessional statement, the *modus operandi* and treatment with the body of the deceased has been narrated by the petitioner and on the very next day, dead body of the deceased has been recovered in a nearby place where it has been thrown by them.

8. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected.

(Dr. Anshuman, J.)

Prakashmani/-

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

