

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85945 of 2024

Arising Out of PS. Case No.-83 Year-2018 Thana- GOVINDGANJ District- East Champaran

Parvej Khan @ Parvej Alam S/O Afzal Khan @ Md. Afjal Resident of Village
- Chintamanpur, P.S- Malahi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binay Kant Mani Tripathi, APP
For the State	:	Mr. Lalan Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 10-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 354, 448, 509, 126(B), 379 of the Indian Penal Code.

3. The allegation in the first information report is that all the accused persons being 23 in number entered into the house of the informant with an intent to commit loot and rape and on protest they all assaulted him and other family members by means of Hockey-sticks, knife etc. and misbehaved with the ladies.

4. Learned counsel for the petitioner submits that the petitioner was not even present at the time occurrence as he had gone to United Arab Emirates for his employment on



09.11.2017 and returned back on 21.10.2021 while the date of occurrence is 18.04.2018. The name of the petitioner was mentioned in the FIR as Firoz Khan but subsequently it was correct to Parwej Alam. It has also been submitted that there is an inordinate delay in lodging of the FIR which shows the falsity of the allegations. Further, the petitioner and few others, after investigation, were not sent up for trial. However, subsequently cognizance was also taken against him. A supplementary affidavit has been filed on behalf of the petitioner to show that he was not in India from 2017 to 2021. Further, other co-accused persons of this case had faced trial and fifteen of them have already been acquitted by way of judgment dated 29.11.2023 annexed as Annexure-2 to the present application.

5. Learned APP for the State has opposed the application for anticipatory bail.

6. Considering all the above mentioned facts and circumstances, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned court below where the case is pending/successor court in connection with Govindganj (Malahi) P.S. Case No. 83 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

7. However, the petitioner is directed to appear before the court concerned on each and every date till charges are framed against him and would further cooperate in the trial.

(Soni Shrivastava, J)

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