

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4224 of 2026

Arising Out of PS. Case No.-331 Year-2021 Thana- CHAKIA District- East Champaran

Afroj @ Md. Afroz Son of Hamid Miya @ Md. Hamid R/o Village -
Mohamadpur, Maksudan, P.S. - Saheb Ganj, Dist. - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar, Advocate

For the Opposite Party/s : Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-02-2026 Heard Mr. Amit Kumar, learned counsel for the
petitioner and Md. Ataur Rahman, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Chakiya P.S. Case No. 331 of 2021, F.I.R. dated 17.10.2021 for the offences punishable under Sections 302/34 of the Indian Penal Code.

3. According to prosecution case, the informant alleged that the petitioner along with other accused persons tried to forcibly make physical relationship with her aunt, namely, Mila Khatun and when she protested, the accused persons assaulted her by means of iron rod due to which she sustained injury and later on died during treatment.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R and he has been made accused merely on the basis of suspicion.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that from bare perusal of the FIR it appears that there is direct and specific allegation against the petitioner that he inflicted iron rod blow upon informant's aunt and she died during the course of treatment.

6. Considering the aforesaid facts and circumstances and the fact that there is direct and specific allegation against the petitioner, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Chakiya P.S. Case No. 331 of 2021 pending in the court of Chief Judicial Magistrate, East Champaran, Motihari.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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