

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3131 of 2026

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

Firoz Alam @ Firoz Khan @ Phiroz Khan S/o Late Samsuddin Khan @
Shamshul Khan @ Samsul Khan R/o Vill- Pakdi Bisauli, Madhopur, PS-
Gaunaha, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar Gupta, Adv.
For the Opposite Party/s	:	Mr. Surendra Prasad Singh, APP
For the Informant	:	Mr. Bimlesh Kumar Pandey, Adv. Mr. Satyam, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 11-03-2026 1. Heard learned counsel for the petitioner, learned
APP for the State and learned counsel appearing on behalf of the
informant Mr. Satyam.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 191(2), 191(3), 190, 126(2),
115(2), 118(1), 109(1) and 103(1) of B.N.S., 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 field when accused persons came and
Adnan, Ayan, Aman Kamal, Adnan Kamal and Dollar stabbed



her son causing injury on his abdomen, further, Imranul, Shabnam Khatoon and Kayamuddin Kamal assaulted her brother Wasim Akhtar by lathi and knife causing injury on head, thereafter, Nazir, Firoz and Iqbal stabbed Wasim Shah causing injury on his stomach and also cut his two fingers, thereafter, accused fled and injured were taken to hospital but here son died on the way.

4. Learned counsel appearing on behalf of 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 allegations 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 were not 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 been committed. It is further submitted that petitioner had earlier approached this Court seeking anticipatory bail by filing Cr. Misc. No.62273/2025 and the same came to be rejected by an order



dated 12.09.2025 on the ground that though petitioner is not alleged to have committed the occurrence of assault but then his presence at the place of occurrence emboldened the accused persons to commit the occurrence. It is next submitted that petitioner is in custody since 18.09.2025 and charge sheet has been submitted and if privilege of bail is granted to the petitioner, the petitioner will not abscond rather will cooperate in the trial to prove his innocence.

5. The learned APP and the learned counsel appearing on behalf of the informant opposes the regular bail application but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that from allegations as alleged in the FIR, it manifests that no specific allegation of assault is alleged against the petitioner.

6. After hearing the learned counsel for the parties, let petitioner, above named, is directed to be released 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 learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Gaunaha P.S. Case No.67 of 2025.

7. Further, one of the bailors of the petitioner shall be his wife, namely, Husne Ara Khatoon.



8. It is made clear that if the learned trial court comes to a conclusion that petitioner after his release is trying to delay the framing of charge or after framing of charge is trying to delay the trial in any manner, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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