

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7567 of 2026

Arising Out of PS. Case No.-97 Year-2025 Thana- CHORAUT District- Sitamarhi

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Afzal Rayeen S/O Anwar Rayeen Resident of Village- Choraut, Ward No. 7,
P.S.- Choraut, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 01-06-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Choraut P.S. Case no.97 of 2025 registered under sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution case, the petitioner is said to have inflicted a knife blow on the back of the husband of the informant while others assaulted him with bricks etc. The husband of the informant succumbed to his injury in course of treatment.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case along with the other members of his family including his mother. The



allegation of repeated knife blow by the petitioner is not supported by the injury report. In spite of the occurrence allegedly having taken place on 7.7.2025, the FIR was lodged only two days later on 9.7.2025 without there being any explanation for the delay. The petitioner is in custody since 16.7.2025 and undertakes to cooperate in the trial.

5. The application for bail is opposed by learned A.P.P. for the State who submits that the petitioner is one of the assailants of the deceased and the trial has proceeded in the learned trial Court.

6. A report was called for with respect to the stage of trial from the learned trial Court. As per the report received contained in letter dated 8.5.2026 of the District and Additional Sessions Judge IX, Sitamarhi, five prosecution witnesses have been examined on behalf of the prosecution while four remain to be examined.

7. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR wherein it is stated that the petitioner inflicted a knife blow on the back of her husband who died subsequently in course of treatment and the trial having proceeded with examination of five prosecution witnesses, the Court is not



inclined to enlarge the petitioner on bail and the application is
rejected.

(Partha Sarthy, J)

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