

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19210 of 2025

Arising Out of PS. Case No.-343 Year-2023 Thana- FORBESGANJ District- Araria

1. Md. Sarwar @ Sarwar S/O Tajuddin Resident of Village- Haldiya Bokara and Doriya Ward No. 08, Police Station- Simraha, District- Araria.
2. Md. Anwar @ Anwar S/O Tajuddin Resident of Village- Haldiya Bokara and Doriya Ward No. 08, Police Station- Simraha, District- Araria.
3. Md. Faiyaz @ Faiyaz S/O Sagir Resident of Village- Haldiya Bokara and Doriya Ward No. 08, Police Station- Simraha, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 02-04-2026 1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Forbesganj (Simraha) P.S. Case No. 343 of 2023 dated 18.04.2023 registered under Section 147, 148, 149, 341, 323, 324, 302, 120B, 504, 506 of the I.P.C.

3. As per the first information report recorded on 18.04.2023 the informant has stated that on 18.04.2023 at about 8:00 A.M. in the morning the husband of the informant went to bring mechanic and the accused persons named in the F.I.R. followed him. At about 9:00 A.M. the villagers informed the informant that her husband has been killed and his dead body has been



thrown in the maize field.

4. Learned counsel for the petitioners submits that petitioners are not named in the first information report and they have been made accused on the basis of sanha and confessional statement of the co-accused recorded in paragraph nos. 63 & 64 of the case diary. He further submits that statement of Farhaan and Yahiya has not been recorded by the police inasmuch as in the F.I.R. it has been stated by the informant that her husband disclosed the occurrence before them and same was recorded in their mobile also. There is admitted land dispute between the deceased and the accused persons named in the F.I.R.

5. On the other hand, learned counsel for the State referring to case diary argued that the co-accused in their confessional statement have specifically said that before the occurrence planning was made by the accused persons in which the petitioners were also included and after planning they called the deceased, took him to the place of occurrence and assaulted him with various weapons due to which the informant's husband died.

6. Regard being had to the submission made by the parties, taking into consideration the gravity of the offence, severity of punishment, the fact that confessional statement made by the



co-accused may be the basis for further investigation of the case for which custodial interrogation of the petitioners may be necessary and the petitioners are having criminal antecedent also, accordingly, I am not inclined to grant anticipatory bail to the petitioners. The same is rejected.

(Anil Kumar Sinha, J)

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