

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29477 of 2026

Arising Out of PS. Case No.-779 Year-2025 Thana- PHULWARISHARIF District- Patna

Afsar Khan @ Md. Afsar S/O Ali Hasan Khan @ Ali Hasan Raza @ Md. Hasan Raja Resident of Mohalla- Maulabagh Naharpar, Police Station- Phulwari Sharif, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Advocate Md. Anwar, Advocate
For the State	:	Mr. Sanjay Kumar Pandey, APP
For the Informant	:	Mr. Jagjit Roshan, Advocate Mr. Anjani Kumar, Advocate Mr. Shashank Shekhar, Advocate Mr. Jayant Kumar Roy, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-05-2026 Heard learned senior counsel for the petitioner, learned counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection with Phulwarisharif P.S. Case No. 779 of 2025 registered for the offence punishable under Sections 103(1), 61(2) of B.N.S. and Section 27 of the Arms Act.

3. The case of the prosecution, in short, is that the informant who is wife of the deceased was going along with her husband Sayyad Anwar Alam and nephew Intekhaab Alam on bike towards her farm from Haroon Nagar colony to Nohsha. It is further alleged that the petitioner along with other four



persons started firing at the informant's husband and he died due to bullet injuries. All the assailants fled away. The informant alleged that her husband has been killed at the behest of other named ten accused persons. All these persons are working in the gang of one land mafia Naushad Mallick.

4. It is submitted by learned senior counsel for the petitioner that petitioner is innocent and has committed no offence. He has been falsely implicated in the present case. Learned senior counsel for the petitioner has submitted that from perusal of the F.I.R. it is clear that only Intekhaab Alam is the eye witnesses of this case. It has further been submitted that from perusal of the F.I.R. it is also clear that the nature of allegation is general and omnibus. It has further been submitted that similarly situated co-accused persons have been granted by this Court vide Cr. Misc. Nos. 87752 of 2025, 20131 of 2026 and 22567 of 2026. Moreover, petitioner is languishing in judicial custody since 22.05.2025.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail and have submitted that in this case, Intekhaab Alam is the eye witnesses who has given his statement under Section 180 of the B.N.S.S. wherein he has categorically stated that he was going to see the fields, Shahrukh Khan and Md. Afsar Khan pointed gun at his uncle. When the uncle of Intekhaab objected,



Md. Afsar Khan shot at him and it is further alleged that Md. Afsar again fired at the deceased. Intekhaab has seen other four persons in a four wheeler. So from the statement of the eye witness Intekhaab, it is clear that the deceased has received two fire-arm injuries. During course of investigation, Md. Afsar has also given his confessional statement and has stated that he has killed the deceased due to land dispute. It has further been submitted that petitioner is having criminal antecedent of two cases. Learned counsel for the informant has submitted that main thrust of allegation is against the petitioner as he is the main assailant

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail at this stage and, as such, his prayer for bail stands rejected.

7. However, petitioner may renew his prayer for bail after six months if the trial is not concluded.

8. Learned trial Court is directed to expedite the trial.

(Ashok Kumar Pandey, J)

lata/-

U			
---	--	--	--

