

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30114 of 2026

Arising Out of PS. Case No.-264 Year-2025 Thana- BANIAPUR District- Saran

Parwej Alam @ Prawej Alam son of Late Mansoor Alam Resident Of Village
-Karah Dargahi Tola Police Station- Baniyapur District -Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shambhawi, Advocate
For the State : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-05-2026 Heard Ms. Shambhawi, learned counsel for the
petitioner and Mr. Arun Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 15.06.2025, in connection with Baniyapur P.S. Case No. 264 of 2025, F.I.R. dated 14.06.2025 registered for the offences punishable under Sections 191(2), 191(3), 190, 127(1), 115(2), 118(1), 117(2), 109, 103(1), 76, 351(2), 352, 3(5) of the B.N.S., 2023.

3. According to the prosecution case, on 13.06.2025 at about 09:00 P.M., the informant was at home when several named and unknown accused persons arrived armed with lathi, danda, sword and farsa and abused her. When her husband and nephew objected, they were allegedly assaulted with sharp weapons, causing serious injuries. It is further alleged that the



informant was outraged and the accused fled on arrival of police. The injured were taken to hospital and the informant's husband later died during treatment. The alleged motive is prior dispute.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. It appears from the F.I.R. that although the petitioner is named in the F.I.R. but there is no specific allegation of any assault or overt act attributed against the petitioner and there is specific allegation of assault attributed against co-accused persons, namely, Soaib Khan, Asad Iqbal, Sahnaz Khan, Israfil Khan and Jugnoo Khatoon and for the same set of allegation co-accused person, namely, Aadil Khan @ Aadil Imran and Ejaj Khan @ Md. Ejhad have been granted the privilege of anticipatory bail by a Coordinate Bench of this Court vide order dated 15.01.2026 passed in Cr. Misc. No. 90315 of 2025, another co-accused person, namely, Sahjad Khan @ Shajad Khan has been granted bail by this Court vide order dated 22.01.2026 passed in Cr. Misc. No. 81323 of 2025, another co-accused person, namely, Israfil Khan @ Isarafal Khan has been granted bail by this Court vide order dated 22.01.2026 passed in Cr. Misc. No. 77971 of 2025 respectively.



She further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 15.06.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and there is no specific allegation of any assault or overt against him and similarly situated co-accused persons have been granted regular bail or anticipatory bail by this Court as well as period of custody, let the petitioner, above named, 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 Judicial Magistrate 1st Class, Saran, Chapra in connection with Baniyapur P.S. Case No. 264 of 2025, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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