

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79366 of 2025

Arising Out of PS. Case No.-521 Year-2025 Thana- ARA NAGAR District- Bhojpur

Md. Wasi Khan @ Wasi Ahmed @ Md. Wasim Khan@Wasi Khan S/O
Khodadin Khan Resident of Village- Rauja Mohalla, P.S.- Ara Nagar, District-
Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 80682 of 2025

Arising Out of PS. Case No.-521 Year-2025 Thana- ARA NAGAR District- Bhojpur

Md. Firoz Khan S/O Wasi Khan @ Wasi Ahmad Resident of Village - Rauja
Mohalla. P.S. - Ara Nagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 79366 of 2025)

For the Petitioner/s : Mr.Raju Kumar Singh, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

For the Informant : Mr. Diwakar, Advocate

(In CRIMINAL MISCELLANEOUS No. 80682 of 2025)

For the Petitioner/s : Mr.Raju Kumar Singh, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

For the Informant : Mr. Diwakar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 23-03-2026 Heard Mr.Raju Kumar Singh, learned counsel for the

petitioners, Mr. Diwakar, learned counsel for the informant and

Mr.Nawal Kishore Prasad, and the learned A.P.P. for the State

in both the applications.

2. The petitioners seek bail, in connection with Ara



Nagar P.S.Case No.521 of 2025, F.I.R. dated 21.08.2025
registered for the offence punishable under Section 80, 3(5)
B.N.S.

3. Allegation against the petitioners is that they
alongwith other co-accused persons have in furtherance of their
common intention committed the dowry death of the sister of
the informant.

4. Learned counsel appearing for the petitioners
submits that the petitioners have clean antecedent and they have
falsely been implicated in the present case merely on the ground
that the petitioner, namely, Md. Wasi Khan @ Wasi Ahmed @
Md. Wasim Khan@Wasi Khan is father-in-law and petitioner
namely, Md. Firoz Khan is brother-in-law of the deceased. It
appears from the FIR itself that the informant is not the eye
witness of the alleged occurrence and merely on the basis of
suspicion the petitioners have been made accused in the present
case. In fact the victim during making the food she has burnt
from fire and petitioners have no role at all in the alleged
occurrence and it appears from the FIR that there is no specific
allegation against the petitioners in the FIR rather there is
general and omnibus allegation against all the accused persons
including the petitioners and the petitioners have no concern at



all with the family affairs of the deceased and they have been made accused in the present case merely on the ground that they are inlaws of the deceased and the police, after investigation, submitted chargesheet against the petitioners and petitioner, namely, Md. Wasi Khan @ Wasi Ahmed @ Md. Wasim Khan@Wasi Khan is in custody since 21.08.2025 and petitioner namely, Md. Firoz Khan is in custody since 29.08.2025 respectively.

5. Learned counsel for the informant and learned A.P.P. for the State have vehemently opposed the prayer for bail of the petitioners and submits that a number of witnesses have supported the case of the prosecution and apart from that, the trial has begun.

6. Vide order dated 29.01.2026, a report was called for with regard to the present stage of the trial. Report of the learned Trial Court dated 13.02.2026 reveals that the case is pending for consideration on the point of charge.

7. Learned counsel for the petitioners submits that in view of the report of the learned Trial Court that there is no chance of early conclusion of the trial in near future and petitioner, namely, Md. Wasi Khan @ Wasi Ahmed @ Md. Wasim Khan@Wasi Khan is in custody since 21.08.2025 and



petitioner namely, Md. Firoz Khan is in custody since 29.08.2025 respectively.

8. Considering the aforesaid facts, petitioners have clean antecedent, there is no specific allegation of any assault, overt-act or demand of dowry attributed against the petitioners in the FIR, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand)each with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhojpur at Ara in connection with Ara Nagar P.S.Case No.521 of 2025, with the following conditions:-

(I) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for



cancellation of bail bond of the petitioners. 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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