

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91178 of 2025

Arising Out of PS. Case No.-112 Year-2025 Thana- Haraiya District- East Champaran

1. Firoj Alam S/O Late Munna Miyan @ Aftab Alam
2. Afrina Khatoon W/O Firoj Alam
Both are R/O Village- Dhupwa Tola, Near Vastu Vihar, P.S- Haraiya, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.
For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 20-02-2026 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners are apprehending their arrest in connection with Haraiya P.S. Case No. 112 of 2025 registered for the offence(s) under Section(s) 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (B.N.S.).

3. As per the prosecution case, the informant has alleged that he received a phone call that his daughter is very ill



and when he went there, he saw that his daughter was dead and all the members of the house including the petitioners had fled away after killing his daughter.

4. The learned counsel for the petitioners submits that the petitioners are *Bhaisur* and *Gotani* of the deceased respectively. It has been submitted that from the perusal of the FIR, it would be evident that only suspicion has been raised against the petitioners and there is no eye-witness to the occurrence. It has next been submitted that on the perusal of the *post-mortem* report, it would be evident that the Doctor has opined that the cause of the death is asphyxia due to hanging. It has further been submitted that it was on account of some dispute of the deceased with her husband that she committed suicide and the petitioners have no concern whatsoever with the same. It has lastly been submitted that the petitioners have clean antecedents.

5. The learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners, above-named, be released on anticipatory bail, in



the event of their arrest or surrender before the concerned Court/successor Court within a period of four weeks from today, on their furnishing bail bond in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court/successor Court where the case is pending in connection with Haraiya P.S. Case No. 112 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973 read with corresponding Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (B.N.S.S.) as well as subject to the following conditions :

(i) One of the bailors of the petitioners shall be their close relative and the other shall be a local resident.

(ii) The petitioners shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the concerned Court.

(iv) The concerned Court shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that he has concealed their criminal antecedent, the Court concerned shall take necessary steps for cancellation of their bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made



in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

Praveen-II/-

U		T	
---	--	---	--

