

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1169 of 2026

Arising Out of PS. Case No.-67 Year-2025 Thana- GAUNAHA District- West Champaran

S.K. Ekbal @ Md. Munirul Haque @ Shekh Ekbal Khan @ Shekh Ekbal @
Md. Munieul Haque S/o- Late Jayaul Haque R/v- Madhopur PS- Gaunaha
District-West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashank Chandra Mr. Umesh Kumar Gupta
For the Opposite Party/s	:	Mr. Rabindra Kumar- A.P.P. Mr. Bimlesh Kumar Pandey Mr. Satyam Kumar Ojha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 06-02-2026 1. Heard learned counsel for the petitioner, learned
APP for the State and the learned counsel appearing on behalf of
the informant.
2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 191(2), 191(3), 190, 126(2),
115(2), 118(1), 109(1) and 103(1) of the B.N.S.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and is in custody since
31.10.2025. It is next submitted that informant, who is mother
of the deceased, alleges that she along with some of her family
members had gone to the field, when accused persons came and
Adnan, Ayan, Aman Kamal, Adnan Kamal and Dolar stabbed



her son causing injury on his abdomen. Further, Imranul, Shabnam and Kyamuddin Kamal assaulted her brother Wasim Akhtar by *lathi* and knife causing injury on head, thereafter Nazir, Firoz and Ekbal stabbed Basim Sah causing injury on his stomach and also cut on his two fingers, thereafter, accused persons fled and injured were taken to hospital, but her son died on the way.

4. The learned counsel for the petitioner submits that petitioner had earlier approached this Court seeking anticipatory bail by filing Cr. Misc. No.69523 of 2025 and the same came to be rejected by an order dated 10.10.2025, considering the order dated 10.10.2025 in Cr. Misc. No.68174 of 2025 (Sariyat Alam Khan @ Sariyat Alam @ Sariyat Khan vs. the State of Bihar). It is next submitted that petitioner is in custody since 31.10.2025. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that petitioner is not alleged to have assaulted/ stabbed the son of the informant leading to his death rather petitioner is alleged to have assaulted Basim Sah with knife along with Nazir and Firoz. It is further submitted that injury of Basim is on record annexed as Annexure-3 to the anticipatory bail application and from perusal of the same, it would manifest that the injury suffered by Basim



Sah has been opined to be simple in nature. It is also submitted that at Para-97 of the case diary, it has been recorded that the petitioner on the date of occurrence was at Gaunaha Police Station in between 11.00 A.M. to 12.42 P.M. for resolving a dispute relating to land in between petitioner and Ram Chandra Yadav alias Sawru Yadav as has been ascertained by the Investigating Officer of the case and thereafter, the same was recorded at Para-97. It is thus submitted that during the course of investigation, material has come which creates doubt with regard to the presence of the petitioner at the place of occurrence. It is reiterated and submitted that allegation of assault by knife is alleged, but then, is not specific and during the course of investigation, it has also come that petitioner was at Gaunaha Police Station on the date of occurrence in between 11.00 A.M. to 12.42 P.M. It is next submitted that the said Para-97 of the case has been pleaded at Para-15 of the anticipatory bail application.

5. Learned A.P.P. Sri Rabindra Kumar as well as the learned counsel appearing on behalf of the informant opposes the bail application, but then, are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that petitioner is not the assailant of the son of the



deceased and the injury suffered by Basim Sah has been opined to be simple in nature, though two injuries are on non-vital part of the body and one injury is on stomach, but then, allegation that who assaulted where is not alleged. It is also submitted that petitioner will not abscond rather will cooperate in the trial to prove his innocence.

6. After hearing the learned counsel for the parties, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Gaunaha P. S. Case No. 67 of 2025.

7. The application stands allowed.

(Satyavrat Verma, J)

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