

IN THE COURT OF SESSIONS JUDGE, AURANGABAD (BIHAR)

A.B.P. No. 1618/2026

Arising out of Rafiganj P.S. Case No. 204/2026

Present:- Rajeev Ranjan Kumar, Sessions Judge, Aurangabad (Bihar)

Azad, S/o Ijhaar Aalam, Age-22 years, R/o Mohalla- Raja Bagicha, New Area, P.S.-
Rafiganj, District- Patna (Bihar).

... .. Petitioner(s)

Versus

The State of Bihar

... ..Opposite Party(s)

Appearance :

For the Petitioner(s)	:	Mr. Md. Akmal Hassan, Adv.
For the State	:	Sri Ajay Kumar, P.P.

16.07.2026

Apprehending his arrest in connection with Rafiganj P.S. Case No. 204 of 2026 instituted under Sections 103(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023. A copy of the anticipatory bail petition has been served upon the Id. P.P. for the State.

The briefly stated prosecution story is that on dated 26.05.2026 at about 08:00 p.m., the informant came to know that the petitioner and co-accused Md. Sufyan were trying to kill his nephew Faiz (now deceased). When the informant reached at the place of occurrence, he saw that the petitioner was caught the hands of Faiz while the co-accused Sufyan was stabbing on the left of stomach of Faiz. Md. Faraz Alam, and Md. Alvi are the eye witness of the occurrence. The informant and Alvi had taken the injured to Primary Health Centre, Rafiganj where during course of treatment he succumbed to death. It is further alleged that prior to the alleged occurrence, the petitioner had called to the nephew of informant from mobile no. 9546274020 to come near Raja Baghcha with an intention to kill him.

Learned counsel for the petitioner has submitted that the petitioner is quite innocent of the allegations made in FIR. He is not involved in the instant crime, rather he has been implicated at the instance of oblique and ulterior motive due to dirty village politics. Petitioner was not present at any point of time at the alleged place of occurrence. There is no allegation of assault against the petitioner. It is further submitted that whichever mobile number has been mentioned in the FIR is not the mobile number of petitioner nor he called the deceased preincidence. The alleged date and time of occurrence is on dated 26.05.2026 at 08:00 p.m., but

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the FIR has been registered on dated 27.005.2026 at 11:35 hours after inordinate delay of about 15 hours 35 minutes without any explanation though, the distance from place of occurrence to place of spot is 2 KM. Petitioner is having no criminal antecedent. On these grounds, it is prayed that the petitioner be given the privileges of anticipatory bail.

Per contra, learned counsel for the informant and learned P.P. opposed the prayer for bail of the petitioner. Learned counsel for the informant submitted that the petitioner is a prime accused of the alleged offence and he along with other co-accused persons had committed murder of deceased due to love affair with a girl. It is further submitted that the petitioner had fled away from the place of occurrence after committing murder of deceased.

Heard learned counsel appearing for the petitioner and learned P.P. for the State.

It is alleged that the petitioner along with other co-accused persons had badly injured to Md. Faiz which led to his death. The present case has been registered u/s 103(1), 3(5) of BNS. It is further alleged that the petitioner had called to Md. Faiz before the incident. From perusal of case diary, it is found at para nos.-9 and 10, which are the statements of witnesses and they have supported the prosecution case. From perusal of postmortem report, multiple stabbed injuries over the chest and abdomen of deceased were found.

Considering the specific allegation and multiple injuries caused to the nephew of informant Md. Faiz, which led to his death. Hence, **the anticipatory bail petition filed on behalf of the petitioner Azad is hereby rejected.**

Dictated

(Rajeev Ranjan Kumar)
Sessions Judge
Aurangabad (Bihar)