

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73585 of 2024

Arising Out of PS. Case No.-239 Year-2024 Thana- BAIRIYA District- West Champaran

1. Saddam Hussain S/O Islam Miyan Resident of village- Bairiya, Ward No. 08, P.S- Bairiya, District- West Champaran.
2. Arman Miyan @ Mohammad Arman S/O Late Aziz Miyan Resident of village- Bairiya, Ward No. 08, P.S- Bairiya, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharad Kumar Verma, Advocate

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 22-11-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Bairiya P.S. FIR No. 239 of 2024 instituted for the offence under Sections 118, 109, 126, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case is that when Chandan has gone to see the weapon demonstration on the occasion of Muharram festival, these petitioners along with others knocked him down and Nazir Miyan stabbed with knife.

4. Learned counsel for the petitioners has submitted that petitioners are innocent and have falsely been implicated in



connection with the present case. The only allegation against these petitioners is that they knocked him down the victim, Chandan and the main thrust of allegation is against Nazir Miyan. It is further submitted that the petitioners have no criminal antecedent.

5. Learned APP appearing for the State opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case, as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Bairiya P.S. FIR No. 239 of 2024, they will be enlarged 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 Additional Chief Judicial Magistrate-III, West Champaran, Bettiah , subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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