

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9118 of 2025

Arising Out of PS. Case No.-495 Year-2024 Thana- PAHARPUR District- East Champaran

MILAN KUMAR @ MILAN KUMAR SINGH S/O- BIRBAHADUR
PANDEY Village- Bankatwa PS- Paharpur Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Ranjan, Adv.

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 15-05-2025 Heard learned counsel for the petitioner and

learned A.P.P for the State.

2. The petitioner seeks bail in connection with
Paharpur P.S. Case No. 495 of 2024 dated 08.11.2024
registered for the offence punishable under Sections 191(2),
190, 49, 126(2), 115(2), 262, 263, 121(1), 121(2), 109(1),
132, 61(2), 352 of the Bharatiya Nayay Sanhita.

3. The allegation against the petitioner is that he was
a rewarded accused of Rs. 10,000/- in Malahi P.S. Case No.
233 of 2024 and when the police personnel reached at his Saw
Mill to apprehend him in that case, this petitioner called his
family members and along with other co-accused persons and
attacked the police personnel due to which some police
personnel sustained injuries and the petitioner fled from
there. Thereafter, police personnel of different police stations
reached at the spot and arrested the petitioner.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the petitioner is not a rewarded accused in Malahi P.S. Case No. 233 of 2024. It is submitted that this petitioner and others were accused in Govindganj P.S. Case No. 233 of 2024 in which they have been granted anticipatory bail *vide* order dated 28.08.2024 passed in Criminal Miscellaneous No. 61774 of 2024 by a co-ordinate Bench of this Court. It is apparent from the aforesaid order that the present case is false and fabricated. The informant (police personnel) had no occasion to raid the house of the petitioner, when the petitioner has already been granted anticipatory bail by this Court. Lastly, it has been submitted that the petitioner is in custody since 09.11.2024, having three criminal cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing



bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-XIth, Motihari, East Champaran in connection with Paharpur P.S. Case No. 495 of 2024, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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