

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17531 of 2025

Arising out of PS. Case No.-88 Year-2024 Thana- SIKTA District- West Champaran

Balal Mian, Son of Afasar Mian, Resident of Village- Kathiya Mathiya, P.S.-
Kangali, District West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alexander Ashok, Advocate
Mr. Jawed Akhtar, Advocate
For the Opposite Party/s: Mrs. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 24-06-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in a case instituted for the
offences under Sections 191(2), 191(3), 103, 126(2), 115(2),
109 and 352 of the BNS. He has no criminal antecedent.

3. The prosecution case is to the effect that the infor-
mant along with his wife Leelawati Devi, brother namely Jata
Patel and Sister-in-law (Bhabhi) namely Reeta Devi were culti-
vating paddy crops in their fields suddenly the FIR named ac-
cused persons including the petitioner along with fifteen un-
known persons started assaulting them and it was alleged that
Bilal Mian (Petitioner) armed with lathi gave blow upon the sis-
ter-in-law (Bhabhi) of the informant on which she fell uncon-



scious, thereafter, she was taken to the hospital and she died on the way.

4. It is submitted by learned counsel for the petitioner that petitioner has falsely been implicated in this case. It is further submitted by learned counsel for the petitioner that from the perusal of the FIR it would be evident that there is general and omnibus allegation against all the named and un-named accused persons. Learned counsel for the petitioner has drawn attention of this Court towards specific allegation that petitioner has assaulted with lathi upon the sister-in-law (bhabhi) of the informant, however, it was not stated as to which part of the body she was hit. It is next submitted by learned counsel for the petitioner that from the perusal of the post-mortem it would be clear that the death was due to haemorrhage and shock and blood was oozing out of from the nose of the deceased-Reeta Devi. It is lastly submitted that the petitioner has no criminal antecedent and is in custody since 25.10.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and has submitted that there is specific allegation on the petitioner of assault upon the sister-in-law of the informant, resulting in injuries and thereafter she succumbed to the said injuries as such



petitioner should not be granted liberty of bail.

6. Considering the aforesaid submissions of learned counsels and taking into account the materials collected during the course of investigation and the fact that the petitioner is in custody since 25.10.2024, the petitioner above named, is directed to be released 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 the learned Chief Judicial Magistrate, West Champaran in connection with Sikta P.S. Case No. 88 of 2024, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent



of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same 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.

(Sourendra Pandey, J)

Vikash/-

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

