

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27450 of 2025

Arising Out of PS. Case No.-114 Year-2014 Thana- BAIRIYA District- West Champaran

Istakhar Miyan @ Imteyaj Miyan S/o Late Mansi Miyan (As being claimed by Police), R/o Village- Tola Motipur, P.S.- Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 30-07-2025 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bairiya P.S. Case No. 114 of 2014 dated 09.06.2014 registered for the offences punishable u/ss 302 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, on 09.06.2025, the informant's mother went to attend the call of nature and after sometime, in the morning, some children came and told the informant that his mother was lying in the field of Gopali Mahto and Prabhu Patel. It is further alleged that when the informant reached the place of occurrence, he saw that his mother was shot



dead by unknown miscreants and then the informant informed the police and lodged the case against unknown miscreants.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has been made accused in this case merely on suspicion. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Shah Hussain Ansari. As per the confessional statement of the Shah Hussain Ansari, there is specific allegation of firing is against the co-accused, Ramashankar Sharma. Nothing has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted bail by the Coordinate Bench of this court vide order dated 20.07.2015 passed in Cr. Misc. No. 12418/2015. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 27.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bettiah, West Champaran in connection with Bairiya P.S. Case No. 114 of 2014 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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