

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26182 of 2025

Arising Out of PS. Case No.-101 Year-2020 Thana- PANAPUR District- Saran

Raish Miyan @ Rakatu Miyan S/o Late Israil Miyan @ Late Ishrali Miyan
R/o Village- Panapur, P.S.- Panapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-06-2025

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial no.688 of 2024, arising out of Panapur P.S. Case no.101 of 2020 registered under sections 302, 201 and 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner along with four others are said to have assaulted the father of the informant leading to his death.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The earlier prayer for bail of the petitioner was rejected vide order dated 2.12.2024 (Annexure-P/1) passed in Cr. Misc. no.60934 of 2024 giving liberty to the petitioner to renew his prayer for bail after six months or on framing of charge whichever is later. It has



been more than 6 months since the passing of the said order and it is further submitted that charge has been framed in the learned trial Court. The petitioner has remained in custody since 4.3.2024 and not 14.7.2020 as has been erroneously recorded in the earlier order of rejection dated 2.12.2024. It is for this reason and the period of custody being less than that by the said order dated 2.12.2024, the petitioner had not been enlarged on bail.

5. The application for bail is opposed by learned A.P.P. for the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 21.5.2025, charge has been framed against the petitioner on 21.10.2024 under sections 302, 201 and 34 of the Indian Penal Code and one non-official witness has been examined on behalf of the prosecution.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the petitioner being in custody since 4.3.2024, the liberty granted in the earlier order of rejection dated 2.12.2024 and charge having been framed against the petitioner in the learned trial Court on 21.10.2024, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no.688 of



2024 (arising out of Panapur P.S. Case no.101 of 2020), 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 Additional Sessions Judge IV, Saran at Chapra.

(Partha Sarthy, J)

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