

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25353 of 2025**

Arising Out of PS. Case No.-112 Year-2024 Thana- LAURIA District- West Champaran

Azad Miyan S/o Ish Mohammad Miyan @ Ismohammad Miyan R/o vill  
-Bagahi Devraj, ward no. 3, P.S.- Lauriya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      20-06-2025                      Heard Mr.Bimlesh Kumar Pandey, learned counsel for  
  
the petitioner and Mr.Mritunjay Kumar Nirala, learned A.P.P. for  
  
the State.

2. The petitioner seeks bail, who is in custody since  
22.11.2024 in connection with Lauriya P.S. Case No. 112 of  
2024, F.I.R. dated 14.04.2024 registered for the offence  
punishable under Sections 120(B),109,201,364,302,34 of IPC  
but the police, after investigation, submitted chargesheet against  
the petitioner under Sections 364,302,120B,201,34 of IPC.

3. According to prosecution case, petitioner with the  
help of other co-accused persons has committed the murder of  
Abu Mian and threw his dead body in the river.

4. Learned counsel appearing for the petitioner  
submits that the petitioner has clean antecedent and he has



falsely been implicated in the present case on the basis of so called self confessional statement of the petitioner and the same was not recorded anywhere during investigation. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. It has transpired that the petitioner alongwith other co-accused persons, namely, Yusuf Miyan and Khalid Miyan have committed the present crime in question. Learned counsel for the petitioner submits that the informant is not the eye witness of the alleged occurrence even no one has seen the alleged occurrence and merely on the basis of so called self-confessional statement of the petitioner, the petitioner and other co-accused persons have been implicated in the present case and similarly situated co-accused persons, namely, Yusuf Miyan and Khalid Miyan have been granted privilege of anticipatory bail by this Court vide order dated 18.01.2025 passed in Cr. Misc. No.61415 of 2024 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 22.11.2024.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner.

6. Considering the aforesaid fact, petitioner has clean



antecedent, except the suspicion, nothing has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and similarly situated co-accused persons, namely, Yusuf Miyan and Khalid Miyan have been granted privilege of anticipatory bail by this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Bettiah, West Champaran in connection with Lauriya P.S. Case No. 112 of 2024, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) 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 or in the name of verification.

**(Rajesh Kumar Verma, J)**

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