

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25608 of 2025

Arising Out of PS. Case No.-253 Year-2024 Thana- BAIRIYA District- West Champaran

Safayat Miya @ Safayat Ansari Son of Mansari Miya @ Munsuf Miya @
Shani Miya Resident of Vill- Patakhauri, P.S.- Bairiya, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 29-07-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with

Bairiya P.S. Case No. 253 of 2024 registered for the offences

under Sections 103 and 3(5) of the IPC and Section 27 of the

Arms Act.

3. The petitioner is named in the F.I.R. and is in

custody since 13.11.2024.

4. The allegation against the petitioner is to commit

murder of the son of the informant along with other named

co-accused persons after calling him from home with

assurance to return with him after half an hour.



5. Learned counsel appearing on behalf of the petitioner submitted that maximum allegation against petitioner is to call son of the informant from the home along with other co-accused persons, but during the course of investigation it was found that he was last seen with co-accused Chandan Mahto as it appears from paragraph no. 24 of the case diary. It is also submitted that co-accused Chandan Mahto was already granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 88150 of 2024 vide order dated 08.04.202. It is submitted that implication of petitioner appears out of suspicion as he found involved in four more cases of different nature, where in three cases he is on bail and moreover, investigation has already completed and as such, there is no chance of tampering with the evidence.

6. Learned APP appearing on behalf of the State, opposes the prayer for bail.

7. In view of aforesaid facts and circumstances as mentioned above and by taking note of the fact as during investigation deceased son of the informant, who was last



seen with Chandan Mahto has already granted bail by co-ordinate Bench as discussed aforesaid, coupled with the fact as petitioner remains in custody since 13.11.2024, accordingly above named petitioner, is directed to be released on bail in connection with Bairiya P.S. Case No. 253 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Bettiah, West Champaran/concerned court, subject to the conditions as mentioned under Section 480(3) of the B.N.S.S.

(Chandra Shekhar Jha, J.)

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