

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30486 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- INARWA District- West Champaran

1. Zeyauallah Miyan @ Lalbabu Miyan @ Jeyauallah Miyan Son of Atiullah Miyan Resident of Village- Inarwa, Ward No.6, P.S.- Inarwa, District- West Champaran, Bettiah.
2. Gaisuddin Miyan @ Gayasuddin Miyan Son of Atiullah Miyan Resident of Village- Inarwa, Ward No.6, P.S.- Inarwa, District- West Champaran, Bettiah.
3. M.B. Miyan @ Emavi Miya Son of Atiullah Miyan Resident of Village- Inarwa, Ward No.6, P.S.- Inarwa, District- West Champaran, Bettiah.
4. Salauddin Miyan Son of Atiullah Miyan Resident of Village- Inarwa, Ward No.6, P.S.- Inarwa, District- West Champaran, Bettiah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-05-2025 Heard Learned counsel for the petitioners, Learned APP for the State and Learned counsel for the informant.

2. The petitioners are apprehending arrest in connection with Inarwa P.S. Case No. 10 of 2025 lodged on 30.01.2025, for the offence punishable under Sections 126(2), 115(2), 118(2), 76, 303(2), 351(2), 352 & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against 10 named accused persons including the present petitioners against whom there is allegation that they have assaulted the informant and his family members by *farsa*, iron rod, *lathi*



danda due to which injury has been caused.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that dispute has arisen for the construction of drainage and both parties are neighbours and scuffling took place from both the sides which resulted into injuries caused to both the sides. Counsel submits that for the same date and place of occurrence, there is case and counter case, i.e. one case has been lodged from the petitioners' side bearing Inarwa P.S. Case No.11/2025 and the present case has been lodged from the informant's side bearing Inarwa P.S. Case No. 10 of 2025. Counsel further submits that petitioners have no criminal antecedent. Counsel also submits that injury report has been annexed from which it transpires that the injuries are simple in nature.

5. Learned counsel for the informant vehemently opposes the prayer for bail and submits that there are allegations in the FIR against the accused persons of snatching money and assaulting the informant's side. Counsel submits that it is true that for the same date and place of occurrence, there is case and counter case.

6. Learned APP for the State opposes the prayer for



bail of the petitioners and submits that there is case and counter case.

7. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the Bharatiya Nagarik Suraksha Sanhita, 2023 to the satisfaction of Judicial Magistrate 1st Class, Bettiah, West Champaran, in connection with Inarwa P.S. Case No. 10 of 2025, subject to the conditions as laid down U/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

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